



W.P.(MD)No.27627 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.10.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

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S.Sureshkumar

... Petitioner

/Vs./

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Vadipatti Taluk Office,
Vadipatti, Madurai District.

3.Murugan

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to remove the encroachment made by the 3rd respondent in the public pathway being survey No. in Survey No. 246/3A, Sub-division No.36, Patta No.3086 situated at Nattaamaikkaarar Street, Mettu Neerethaan Village, Vadipatti Taluk, Madurai District based on the petitioner's representation dated 21.07.2025.

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For Petitioner : Mr.V.Chandrapandi
For Respondents : Mr.D.Sadiq Raja (R1 & R2)
Additional Government Pleader
Mr.S.Vellaichamy (R3)

ORDER

(Order of the Court was made by **C.KUMARAPPAN, J.**)

The present writ petition has been filed to remove the encroachment in the public pathway in Survey No.246/3A at Nattamaikkaarar street, Mettu Neerethaan Village, Vadipatti Taluk, Madurai District.

2.When we heard the matter on 24.10.2025, we have recorded that the respondent had already proposed to conduct survey in the disputed land. In pursuance thereof, today, the learned Additional Government Pleader, on written instructions, would submit that SF No. 246/36 belongs to one S.Sureshkumar. It is vindicated through patta No. 3086 submitted along with the petitioner's typed set of papers in page No.24. However, the so called 4 feet passage is part of the larger extent in SF No.246/3A3A1 admeasuring 80.46 cents and there is no sub



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division for the passage. The patta for the above said land qua on SF No.246/3A3A1, stands in the name of 17 persons under a joint patta bearing patta No.2449. It is in this background, the learned Additional Government Pleader would submit that there are no encroachments in the Government land so as to file the present writ petition.

3.From the above records, it is amply clear that the petitioner cannot maintain the present writ petition in respect of a private patta land. In view of the above factual position, we do not find any merits in the present writ petition. In the result, this writ petition stands dismissed.

[A.S.M.J.] & [C.K.J.]
24.10.2025

Index :Yes/No
Internet :Yes
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To
1.The District Collector,
Madurai District, Madurai.

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Vadipatti, Madurai District.

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