



W.P.(MD)No.33130 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2025

CORAM:

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

W.P.(MD)No.33130 of 2025

S.K.Velmurugan

... Petitioner

/Vs./

1. The District Collector,
Trichy District, Trichy.
2. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Trichy.
3. The Tahsildhar,
Tiruverumbur Taluk,
Trichirappalli District.
4. The Block Development Officer,
Gundur Village and Panchayat,
Tiruverumbur Taluk,
Trichirappalli District.
5. T.T.Krishnan

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st to 4th respondents to

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initiate legal action as against the 5th respondent to remove the encroachment caused by the 5th respondent made in Survey No.109/2H, 112/1B of Ayyampatti Majra at Gundur Village, Tiruverumbur Taluk, Trichirappalli District and consequently take appropriate legal action against the 5th respondent by stipulating time limit that may be fixed by this Court.

For Petitioners : Mr.C.M.Arumugam

For Respondents : Mr.S.P.Maharajan (R1 to R3)

Special Government Pleader

Mr.J.Ashok (R4)

Additional Government Pleader

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Mr.S.P.Maharajan, learned Special Government Pleader, accepts notice for R1 to R3 and Mr.J.Ashok, learned Additional Government Pleader accepts notice for R4.

2. This writ petition is not maintainable. The prayer is for a mandamus directing the official respondents to initiate action against R5 for alleged encroachment caused by the latter in Survey No.109/2H,



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112/1B of Ayyampatti Majra at Gundur Village, Tiruverumbur Taluk, Trichirappalli District and take legal action for the encroachment.

3. Mr.S.P.Maharajan, learned Special Government Pleader points out that there is nothing to indicate that the encroachment is on government land. Infact, the classification of the survey numbers mentioned in the prayer as aforesaid has not been setout and in the absence of the same, the prayer of the petitioner is itself not maintainable.

4. Mr.C.M.Arumugam, learned counsel for the petitioner, for his part, would submit that the area is yet to be classified and it is for this reason that the classification is not mentioned. However, he would draw attention to a layout at page No.41 of the typed set, comprising several plots, one of which he owns. According to him, what is earmarked as 'Road' in that layout is an encroachment by R5.

5. We are unaware as to whether the layout at page No.41 is an approved one. That apart, the writ affidavit makes due disclosure of OS.No.137 of 2024 pending before the First Additional District Munsif, Tiruchirapalli, praying for a judgment and decree of permanent



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injunction as against R5. That suit is stated to be instituted by owners of plot Nos.6 to 11. The petitioner claims to be the owner of plot Nos.52 and 53 and hence, we are of the considered view that it would only be appropriate for the petitioner to implead himself in the pending suit and seek appropriate relief as against R5.

6. With this, this writ petition is dismissed, making it clear that the petitioner is at liberty to approach the civil Courts for appropriate remedy. No costs.

**[A.S.M.J.] & [C.K.J.,]
19.11.2025**

NCC :Yes/No
Index :Yes/No
Internet :Yes
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AND
C.KUMARAPPAN, J.

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