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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.12.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.35999 of 2025

- 1.Baskaran
- 2.A.V.Vijayakumar
- 3.Yohanand
- 4.R.Nachimuthu
- 5.Muhunthan
- 6.J.Vasanth
- 7.J.J.Baskar
- 8.P.Mathivanan
- 9.P.Sumathi
- 10.Prabhakaran Nagarajan

... Petitioners

Vs.

- 1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
- 2.The District Revenue Officer,
Tiruchirappalli District,
Tiruchirappalli.
- 3.The Revenue Divisional Officer,
Tiruchirappalli District,
Tiruchirappalli.
- 4.The Thasildar (West),
No.2, Bharathidasan Salai,
Contonment, Tiruchirappalli District.



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5. The Commissioner,
Tiruchirappalli Corporation,
58, Bharathisan Salai,
Opp. To Campion School,
Cantonment, Tiruchirappalli.

6. The Correspondent,
R. Dayanidhi Memorial Vidyasala Matriculation School,
Bama Colony, Kulamani Main Road,
Sri Akilendeswari Nagar,
Melapandamangalam,
Tiruchirappalli-620 003.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to demolish the unauthorized construction constructed by the sixth respondent in Town S.No.7, Old S.No.177/13, Block No.9, Pandamangalam, K.Abishekapuram Zone, Tiruchirappalli City based on the petitioner's representation dated 07.10.2025 and remove the encroachment within the time stipulated by this Court.

For Petitioner : Mr.P.R.Prithiviraj
For Respondents : Mr.S.P.Maharajan (R1 to R4)
Special Government Pleader
Mr.K.R.Kishore Ram (R5)
for M/s.RB Law Associates

ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

This writ petition is filed seeking mandamus directing the respondents 1 to 5 to demolish the unauthorised construction constructed



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by the sixth respondent in Town Survey No.7, Old Survey No.177/13, Block No.9, Pandamangalam, K.Abishekapuram Zone, Tiruchirappalli City.

2. According to the learned counsel appearing for the petitioner, the representation dated 07.10.2025 was sent to the authorities seeking to remove the encroachment. The said representation was not acted upon. Hence, he seeks a mandamus.

3. According to the learned counsel for the petitioner, the gate with an arch of the School was constructed without obtaining prior permission from the fifth respondent. It is constructed in a sensitive zone. Subsequently, it has come to the knowledge of the petitioner that the sixth respondent is attempting to extend their access into Survey No.7 with a motive to use the adjoining public road.

4. This Court on reading of the affidavit filed in support of this writ petition, particularly, paragraph No.3 of the affidavit, finds that the writ petition is filed in anticipation that the sixth respondent will encroach upon Survey No.7 and likely to cause inconvenience to the



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public by converting the public land for private use. The photographs annexed to the writ petition indicate that the gate and arch is well within the property of the sixth respondent. The apprehension of the petitioner about the likelihood of the encroachment into Survey No.7 is premature. The alleged arch is nothing but a board of the said School and the gate or arch no way cause any hindrance to the public road running alongside the School building as seen from the photographs.

5.Public Interest Litigation cannot be entertained on the basis of the apprehension of encroachment in future. Hence, the writ petition stands dismissed. It is needless to mention here that the fifth respondent shall always be vigil and in case of any damage or encroachment in the public land, appropriate action shall be taken in accordance with law. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
16.12.2025

Index :Yes/No
Internet :Yes
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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

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