



WP No.8554 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

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P.Jothivel
S/o.Poorasamy,
East Street, Palayakudi Post,
Kavanur Village, Ariyalur Taluk,
Ariyalur District

: Petitioner

Versus

- 1.The District Collector
Office of the District collector, Ariyalur,
Ariyalur District.
- 2.The District Revenue Officer
Office of the District Revenue Office, Ariyalur
Ariyalur Taluk, Ariyalur District.
- 3.The Thasildar
Office of the Thasildhar-Ariyalur Taluk office,
Ariyalur Taluk, Ariyalur District.
- 4.The Block Development officer, Kavanur Panchayat Union
Office of the Block Development office,
Kavanur Village and Panchayat Union,
Ariyalur Taluk, Ariyalur District.



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5.R.Verriya
Ponparrappan Street, Kavanur Village,
Ariyalur Taluk, Ariyalur District.

6.R.Elavarasan
Ponparrappan Street, Kavanur Village,
Ariyalur Taluk, Ariyalur District : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the representation dated 14.10.2024 and reminder dated 29.10.2024, 13.10.2025 and consequently direct the respondents to remove the encroachment at Vaari Poramboke situated at Survey No.26, Kavanur Village, Ariyalur Taluk, Ariyalur District which is a Government Poramboke land.

For Petitioner : Ms.A.Kalaiselvi
For Respondents : Mr.E.Vijay Anand, A.G.P.,
for respondents 1 to 3

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard learned counsel for the petitioner on the question of admission.

2. The petitioner has filed the present writ petition under Article 226 of the Constitution of India by way of a public interest litigation on the ground that he is owning agricultural lands in S.Nos.2/2D and 2/3E in Kavanur village, Ariyalur Taluk. According to the petitioner, respondents 5 and 6, have encroached Vaari Poramboke lands i.e.



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lands which are used by the villagers for drying their reaped crops.

Because of the encroachment, the public at large are prevented from using the Vaari poromboke lands.

3. Learned State Counsel submitted that during survey, six encroachers have been identified and notice for removal of encroachment has been issued on 14.03.2025. Thereafter, four encroachments have been removed. However, two of the persons, arrayed as respondents 5 and 6 herein, have been granted patta. Therefore, the authorities are not in a position to remove them. According to the learned State counsel, unless and until the patta is cancelled, respondents 5 and 6 cannot be removed. Learned State Counsel further pointed out that Section 12 of the Tamil Nadu Patta Passbook Act, 1983, provides for an appeal before the appellate authority.

4. Heard learned counsel on either side and perused the records.

5. We are of the considered opinion that if the petitioner is aggrieved by the encroachments made by respondents 5 and 6, then the petitioner should avail the remedy of filing an appeal under Section



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12 of the Act of 1983. Liberty is granted to the petitioner to approach the appellate authority in accordance with law, subject to the law of limitation.

6. Accordingly, with the aforesaid observation and liberty, this writ petition stands disposed of. There will be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ.) (G.ARUL MURUGAN, J.)
09.03.2026

Index : Yes/No
Neutral Citation : Yes/No
tar



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