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W.P.No.18449 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.05.2026

CORAM:

**THE HON'BLE MR JUSTICE S. SOUNTHAR
AND
THE HON'BLE MR.JUSTICE P.B. BALAJI**

W.P.No.18449 of 2026
and
W.M.P.No.19789 of 2026

1. S.Devaraj
2. S.Thamayanthi
3. S.Jayabal

...Petitioners

Vs.

1. The District Collector,
District Collector's Office,
Tirupur District, Tirupur.
2. The Revenue Tahsildar,
Tahsildar's Office, Avinashi Taluk,
Tiruppur District.
3. The Executive Officer,
Kalipalayam Panchayat, Avinashi Taluk,
Tiruppur District.
4. Mani Ramasamy
5. Tangavel
6. Loganatham
7. Prakash

...Respondents



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Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, seeking to direct the respondents 1, 2 and 3 to consider the representation dated 10.04.2026 and to take appropriate legal action to remove encroachment in S.No.408/2, Kalipalayam Village, Avinashi Taluk, Tirupur District Government Poromboke land and further forbear the respondents 4 to 7 from putting up further constructions.

For Petitioners : Mr.K.Chozhan

For Respondents : Mr.M.Murali,
Government Advocate, for R1 to R3

ORDER

(Order of the Court was made by S. Sounthar J.)

This writ petition has been filed seeking to direct the respondents 1 to 3 to consider the 1st petitioner's representation dated 10.04.2026 and to consequently, take appropriate legal action to remove the encroachment in the subject property comprised in S.No.408/2, Kalipalayam Village, Avinashi Taluk, Tirupur District, which is a Government Poramboke land and also to forbear the respondents 4 to 7 from putting up further constructions.



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2. Mr.M.Murali, learned Government Advocate, takes notice on behalf of the respondents 1 to 3. In view of the consent expressed by the learned counsel on either side, this writ petition is taken up for final disposal at the admission stage itself.

3. Since no order adverse to the interest of the respondents 4 to 7 has been passed, notice to the respondents 4 to 7 is dispensed with.

4. It is the case of the petitioners that the late R.Subramaniam was the owner of the property comprised in S.No.407/2 situated at Kalipalayam Village, Avinashi Taluk, Tirupur District and after his demise, the said property devolved upon the petitioners, who are his legal heirs. The only access to the petitioners' property is through the property comprised in S.No.408/2, which is classified as a Government Poromboke land and the said land has been used as a common pathway, not only by the petitioners, but also by the general public. While so, the respondents 4 to 7 have unlawfully encroached the said Government land to an extent of 50 cents and have erected constructions and also fenced the same, completely



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obstructing the petitioners' only access to their property, despite the repeated objections made by the petitioners and other villagers. Further, though several complaints have been made to the police and also to the competent authorities, no action has been taken till date. The 1st petitioner has also made a representation to that effect before the respondents 1 to 3 on 10.04.2026, however, the same evoked no response. Hence, the petitioners have come before this Court with the above mentioned prayer.

5. Learned Government Advocate appearing for the respondents 1 to 3 submitted that the representation submitted by the 1st petitioner will be considered by the 2nd respondent in accordance with law.

6. In view of the above submission made by the learned Government Advocate, this Court, without going into the merits of the case, directs the 2nd respondent to consider the petitioners' representation dated 10.04.2026 and pass final orders on its own merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioners, private respondents and other interested parties, if any.



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7. With the above direction, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

(S.S.,J.) (P.B.B.,J.)

**07.05.2026
(2/2)**

gd/skt

Index	: Yes/No
Speaking/Non-speaking order	: Yes/No
Neutral Citation	: Yes/No

To:

1. The District Collector,
District Collector's Office,
Tirupur District, Tirupur.
2. The Revenue Tahsildar,
Tahsildar's Office, Avinashi Taluk,
Tiruppur District.
3. The Executive Officer,
Kalipalayam Panchayat, Avinashi Taluk,
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S. SOUNTHAR, J.
AND
P.B. BALAJI, J.

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