



WEB COPY

W.P.(MD) No.2049 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2026

CORAM:

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

W.P.(MD) No.2049 of 2026

Masanam

... Petitioner

-vs-

1.The District Collector
Tirunelveli District Collectorate
Tirunelveli District

2.The Revenue Divisional Officer
Cheranmahadevi Revenue
Divisional Office
Tirunelveli District

3.The Tahsildar
Nanguneri Taluk Office
Tirunelveli District

4.The Panchayat Secretary
Ervadi Panchayat Office
Ervadi, Nanguneri Taluk
Tirunelveli

5.Durai

6.Mariappan

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 herein to forthwith issue lock and seal notice to the 5th and 6th respondents herein for their unauthorised construction of building comprised in Survey No.390/1 at Aathi Dravida Street, Balasubramaniyapuram, Ervadi Village, natham kudiyruppu, Nanguneri Taluk, Tirunelveli District, without having any land or obtaining the planning permission in total violation of the Tamil Nadu Combined Development and Building Rules 2019 and consequently direct the official respondents to consider the representation of the petitioner dated 17.12.2025 sent through registered post with acknowledgement due within a time stipulated by this Court.

For Petitioner : Mr.K.Marimuthu

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R3

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

The petitioner claims that the free house site bearing Plot No.59, comprised in Survey No.390/1, measuring an extent of 2.5 cents, was allotted to his mother and he has acquired the said land from his mother and is in enjoyment of the said land by putting up a construction in one cent of land and in the remaining 1.5 cent of land, he has put up a cattle shed. Alleging that the respondents 5 & 6 are trying to occupy the land measuring 1.5 cent



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and put up a construction thereon without getting proper planning permission or approval from the authorities concerned, the petitioner has filed this writ petition.

2. On perusal of the records, we find no merit in the relief sought in this writ petition. If the petitioner has a valid title to the extent of the land to which he claims ownership and somebody is trying to trespass into the same and put up a construction, it is for the petitioner to approach the competent Civil Court to restrain such trespass. Writ jurisdiction is not the alternate way to examine the title of the property and the allegation of trespass into the property. Therefore, the petitioner has to approach the competent Civil Court and work out his remedy in accordance with law.

3. With the above observations, this writ petition is dismissed. No costs.

[G.J., J.] [K.K.R.K., J.]
28.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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Tirunelveli District.
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AND
K.K.RAMAKRISHNAN, J.

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