



W.P(MD)No.1296 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.1296 of 2022

and

W.M.P(MD)No.1136 of 2022

L.G.Sarath Inigo

... Petitioner

Vs.

1.The District Collector,
Collectorate, Kokirakullam,
Tirunelveli – 627 009.

2.The Commissioner,
Tirunelveli City Municipal Corporation,
S.N.High Road, Tirunelveli – 627 001.

3.The Assistant Commissioner,
Melapalayam Zonal Ward Office,
Tirunelveli City Municipal Corporation,
Tirunelveli – 627 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1, 2 and 3 to remove all the encroachments and buildings/dwelling houses that were built exceeding the building lines in Vasanthapuram South Street, at Melapalayam Post / Zone Tirunelveli Distirct ensure the splay area in the



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intersecting corners of all the streets that adjoins the Vasanthapuram South Street and further take necessary actions on the unauthorized / deviated constructions in Vasanthapuram South Street in accordance with Sections 56 and 57 read with Section 85 of The Town and Country Planning Act, 1971 and as per Sections 272, 274, 284, 296 and 297 of The Tirunelveli City Municipal Corporation Act, 1994 in the light of the proceedings of the first respondent in Na.Ka.No.831/2018TLPA dated 05.12.2018 within the time as specified by this Court.

For Petitioner : Mr.K.Ganesamoorthi

For Respondents : Mr.T.Amjad Khan
Government Advocate for R.1

No Appearance for R.2 & R.3

ORDER

(Order of the Court was made by G.R.Swaminathan J.)

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the first respondent. Though the officials of the Tirunelveli City Municipal Corporation have been served and their names are printed in the cause list, the Standing Counsel has not chosen to appear before us.

2.The writ petitioner is a permanent resident of Jeba Nagar in Melapalayam. His grievance is that there are encroachments in



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Vasanthapuram south street. The dimensions of the street were originally 430 meters in length, running north-south. The width on the northern side was 12.2 meters, while on the southern side it was 5.9 meters. At present, the street measures only 11 feet in width. This prima facie indicates that there are encroachments.

3.We direct the respondents 2 and 3 to undertake a comprehensive survey based on the original revenue records. The jurisdictional Tahsildar is directed to extend full assistance for carrying out the survey exercise. If the survey indicates that the road portion has been encroached upon, it is the duty of the authorities to have the encroachments removed. The entire exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

4.This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [R.P, J.]
06.04.2026

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

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To

WEB COPY

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- 3.The Assistant Commissioner,
Melapalayam Zonal Ward Office,
Tirunelveli City Municipal Corporation,
Tirunelveli – 005.



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G.R.SWAMINATHAN, J.

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