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W.P.(MD) No.1779 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**W.P.(MD) No.1779 of 2026
and
W.M.P.(MD) No.1402 of 2026**

G.Ebra Deva Sudha

... Petitioner

-VS-

- 1.The District Collector
Kanyakumari District
Nagercoil
- 2.The District Revenue Officer
Kanyakumari District, Nagercoil
- 3.The Revenue Divisional Officer
Kanyakumari District, Nagercoil
- 4.The Tahsildar
Agasteeswaram Taluk
Kanyakumari District
- 5.The Block Development Officer
Rajakkamangalam Panchayat Union
Rajakkamangalam
Kanyakumari District



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6.The Revenue Inspector
Nagercoil, Kanyakumari District

7.V.S.Jeevani

8.S.Asphas Gnana Rejuvin

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records relating to the impugned order made by the 2nd respondent dated 09.01.2026 vide proceedings in Na.Ka.No. M2/3433140/2025 and quash the same.

For Petitioner : Mr.C.Sankar Prakash

For Respondents : Mr.S.R.A.Ramachandran
Addl. Government Pleader for R1 to R4 & R6
Mr.S.P.Maharajan
Special Government Pleader for R5

ORDER

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

The order dated 09.01.2026, passed by the second respondent, rejecting the appeal and revision preferred by the petitioner and confirming the order dated 18.06.2025, passed by the fourth respondent, directing the



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petitioner to remove the encroachment made by him in the subject land, is under challenge in this writ petition.

2. Learned counsel for the petitioner states that the impugned order, dated 09.01.2026, passed by the second respondent, is to remove the encroachment made by the petitioner herein, who is the owner of the land in Survey No.847/25, by constructing a compound wall, to an extent of 0.0010 Hectare, in the northwest corner of the Government poramboke pathway in Survey No.847/1. The appeal and revision filed by the petitioner have been rejected after due notice and an order has been passed confirming the order to remove the encroachment in Survey No.847/1, which is the Government poramboke pathway. He would further submit that in the impugned order, the second respondent has categorically stated that the extent of the petitioner's land is intact as per DGPS survey and pointing out the said observation, learned counsel for the petitioner submits that it is incorrect to state that the petitioner has made encroachment in Survey No.847/1.

3. This Court, on perusing the impugned order passed by the second respondent, finds that the observation made by the second respondent



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regarding extent of the land, which is in occupation of the petitioner, confirms that the petitioner is the owner of the land in Survey No.847/25 and the extent mentioned for the said survey number is intact. However, the survey report discloses that the petitioner has encroached upon the Government poramboke pathway situated in Survey No.847/1 and the encroachment made by the petitioner in the said survey number by constructing a compound wall is to the extent of 0.00.10 Hectare. The impugned order is very clear without any ambiguity. The impugned order to remove the encroachment is only in respect of the structure put up in Survey No.847/1 and not in respect of the structure put up in Survey No.847/25, over which the petitioner claims ownership. In such circumstances, the petitioner cannot have any grievance to challenge the impugned order and the writ petition is therefore liable to be dismissed.

4. While this Court dictating orders and even after completing dictation of the order, learned counsel for the petitioner has been continuously causing inconvenience and disturbance to the court proceedings. Therefore, this Court is inclined to impose costs on the petitioner.



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5. Accordingly, this writ petition is dismissed with costs of Rs.1,00,000/- (Rupees one lakh only) payable by the petitioner to the Tamil Nadu State Legal Services Authority, within a period of two weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

[G.J., J.] [N.S., J.]

23.01.2026

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

Note to Office:

Mark a copy of this Order to the Officer In-charge, Tamil Nadu State Legal Services Authority, Madurai Bench of Madras High Court, Madurai.

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To:

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The District Revenue Officer,
Kanyakumari District, Nagercoil.



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- 3.The Revenue Divisional Officer,
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- 5.The Block Development Officer,
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AND
N.SENTHILKUMAR, J.

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23.01.2026