



WP(MD). No.2289 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 02/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

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Suyambu

... Petitioner

Vs

1. The District Collector,
Tirunelveli District, Tirunelveli..

2. The Tahsildar,
Radhapuram Taluk,
Radhapuram, Tirunelveli District..

3. The Divisional Engineer,
State Highways,
Construction and Maintenance,
Tirunelveli District, Tirunelveli..

4. The Assistant Divisional Engineer,
State Highways,
Construction and Maintenance,
Radhapuram, Tirunelveli District..

5. The Block Development Officer,
Valliyur Panchayat Union, Valliyur,
Tirunelveli District..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 3 and 4 from laying road in the petitioner's land comprised



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in Survey Number 144/14k for an extent of 0.01.25 Hectors situated at Chithambarapuram, Pazhavor Part-2, Rathapuram Taluk, Tirunelveli District without following due process of law and without conducting land acquisition proceedings by considering petitioner's representation dated 13.01.2026.

For Petitioner : Mr.K.Anandraj
For Respondents : Mr.S.Shanmugavel for R1 to R4
Additional Government Pleader
Mr.D.Sadiq Raja for R5
Additional Government Pleader

ORDER

The writ petition is filed for a mandamus forbearing the respondents 3 and 4 from laying road in the petitioner's land comprised in Survey Number 144/14k for an extent of 0.01.25 Hectors situated at Chithambarapuram, Pazhavor Part-2, Rathapuram Taluk, Tirunelveli District without following due process of law and without conducting land acquisition proceedings by considering petitioner's representation dated 13.01.2026.

2. By consent of both sides, the writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.



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3. The learned counsel for the petitioner would submit that in the petitioner's land in S.No.144/14k for an extent of 0.01.25 Hectors situated at Chithambarapuram, Pazhavor Part-2, Rathapuram Taluk, Tirunelveli District, in which, the respondents are making an attempt to lay a road.

4. The learned Additional Government Pleader, on instructions, would submit that the road is being laid in S.No.143 and not in the petitioner's patta land and S.No.143 is the land belong to highways department.

5. However, the learned counsel for the petitioner would submit that let the respondents measure the property and thereafter lay the road. The learned Additional Government Pleader would submit that after conducting survey only, road will be laid. The said submission is recorded.

6. I have considered the said submissions and perused the materials available on record.



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7. In the present case, according to the petitioner, the respondents are laying road in the petitioner's patta land in S.No. 144/14k at Chithambarapuram, Pazhavor Part-2, Rathapuram Taluk, Tirunelveli District. However, it is the stand of the respondents that the road is being laid in S.No.143, which is a highway land. If the respondents are attempting to lay a road in petitioner's property, it is for the petitioner to make measurements of the property in accordance with law through an approved Surveyor. As far as the respondents are concerned, the road will be only laid in the land of the highways department, that too after making measurements. If the petitioner found any deviation by the respondents, he can very well measure the land with the help of Surveyor and approach this Court to remove the encroachment, if he is so advised. Since the petitioner has filed the writ petition only on mere apprehension, this Court is not inclined to entertain the same. Accordingly, the writ petition stands dismissed. No costs.

02.02.2026

NCC : Yes/No

Index : Yes/No

RR

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KRISHNAN RAMASAMY, J

RR

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