



W.P(MD)No.2584 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.P(MD)No.2584 of 2023

and

W.M.P(MD)No.2350 of 2023

R.Pechiammal

... Petitioner

Vs.

- 1.The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai.
- 2.The District Collector,
Virudhunagar District,
Virudhunagar.
- 3.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
- 4.The Revenue Divisional Officer,
Virudhunagar District,
Virudhunagar.
- 5.The Thasildar,
Aruppukottai Taluk,
Virudhunagar District.



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6.The Block Development Officer,
Aruppukottai Village Panchayat,
Virudhunagar District.

... Respondents /
Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent in connection with the impugned rejection order passed by him vide his proceedings in Na.Ka.No.G4/47152/2021 dated 25.01.2023 and subsequent eviction notice issued by the fifth respondent vide his proceedings in Na.Ka.No.A2/2368/2021 dated 02.02.2023 and quash the both as illegal and arbitrary and consequently direct the respondents to approve the realignment of Vandipathai / cart track running in the petitione's patta land in Survey No.388/1 of Arakudumbapatti Village, Virudhunagar District within the time limit that may be fixed by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.A.Baskaran
Additional Government Pleader

JUDGMENT

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

Heard both sides.

2.The writ petitioner is the resident of Mettukundu Village. She owns 1 acre and 83 cents of land in Survey No.388/1 to 388/3. A public



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pathway runs diagonally across her agricultural land. As a result, her land had been cut into two halves. The petitioner appears to have used a portion of the public pathway comprised in Survey No.388/3. Since the local public objected to such encroachment, eviction order was issued. The petitioner came forward with an offer to allot 28 cents of land on the southern and western side of her land. The authority did not accept this exchange offer on the ground that objections had been received from the members of general public. Challenging this stand of the authority, this writ petition has been filed.

3.RSO 26-A(vii) reads as follows:

“(vii) where a private owner is willing to relinquish small extents of land not exceeding 25 cents in each case for the consolidation of his holding.”

4.We had a look at the FMB. A mere look at the same would show that the public will not be put to much inconvenience by accepting the exchange offer made by the writ petitioner. We have to balance the interests of the general public and that of the writ petitioner. The writ petitioner has offered 28 cents of land to consolidate her holding in exchange for 15 cents of land. We are more than satisfied that the



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balance of convenience tilts in favour of the writ petitioner. It is seen that the writ petitioner has offered 13 cents more than what she is presently enjoying. In this view of the matter, the order impugned in this writ petition is set aside.

5.This Writ Petition is allowed accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [R.K.M, J.]
16.02.2026

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

To

- 1.The Commissioner of Land Administration,
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Chennai.
- 2.The District Collector,
Virudhunagar District,
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- 3.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.



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4.The Revenue Divisional Officer,
Virudhunagar District,
Virudhunagar.

5.The Thasildar,
Aruppukottai Taluk,
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6.The Block Development Officer,
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AND

R.KALAIMATHI, J.

MGA

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