



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.4393 of 2026

N.Ramaraj

... Petitioner

Vs.

1.The District Collector/Chairman,
District Monitoring Committee,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer,
Dindigul Sub Division,
Dindigul District.

3.The Tahsildar,
Aathoor Taluk,
Dindigul District.

4.The Block Development Officer,
O/o.Block Development Officer,
Aathoor, Dindigul District.

5.A.Santhana Krishnan

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to



remove the encroachments made by the fifth respondent by way of blocking the public pathway from S.no.266/3 (old S.No.141-2), Alamarathupatti Village, Aathoor Taluk, Dindigul District in the light of the petitioner's representation dated 05.12.2025 within the time stipulated by this Court.

For Petitioner : Mr.A.R.Kannappan
For Respondents : Mr.D.Sasikumar (R1 to R4)
Additional Government Pleader
Mr.P.Manikandan (R5)

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The petitioner has filed this writ petition seeking to remove the encroachment made by the private respondent in the public pathway.

2.The grievance of the petitioner is that the private respondents have encroached upon the public road. In this regard, the petitioner has submitted a representation before the authorities concerned. Since the same has not been considered, the petitioner has filed the instant writ petition.



3.The learned counsel for the petitioner submits that the private respondent has put up a staircase in the public pathway, thereby obstructing the public from using the said pathway.

4.The learned Additional Government Pleader appearing for the official respondents, on instructions, submitted that the proceedings under the provisions of the Land Encroachment Act have already been initiated and eviction notice has also been issued against the encroachers.

5.We are of the view that the owner of a property adjacent to a public road is entitled to access from the public street, and such access cannot be disturbed. However, with regard to the allegation that any staircase has been put up in the public road, it is for the Tahsildar to find whether any ramp or staircase has been put up within the public pathway. If it is found that such structure has been put up on a public street, the authorities are at liberty to remove the same in accordance with law.



6. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
07.04.2026

Index : Yes/No
Internet : Yes
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To

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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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