



W.P.(MD)No.4311 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.04.2026**

CORAM:

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

AND

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

W.P.(MD)No.4311 of 2026

C.Karuppasamypandiyan

... Petitioner

Vs.

1. The District Collector / Monitoring Committee,
Office of the District Collector,
Theni District.
2. The Tahsildar,
Aundipatti Taluk Office,
Theni District.
3. The Block Development Officer,
Office of the Mayiladumparai Village Union,
Aundipatti Taluk,
Theni District.
4. The Village Administrative Officer,
Kadamalaikundu Village Administrative Office,
Aundipatti Taluk,
Theni District
5. Sundareswari
6. Jemini



W.P.(MD)No.4311 of 2026

7. Mariappan

... Respondents

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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondents Nos.1 to 2 revenue officials herein to remove the encroachments in the public pathway put up by the respondents Nos.5 to 7 in the Government Uvari land in survey No.1076/3B60, total extent is 1.73.05 hectors Situated at Udkadai Uppudurai village, Kadamalaikundu, Aundipatti Taluk, Theni District in the light of the eviction notice issued by the 2nd respondent vide under section 6 of the Tamilnadu Land Encroachment Act, 1905 to the 5th respondent vide Na.Ka.No.2221/25/Aa6 on 04.06.2025 and by considering petitioner's representation dated 12.11.2025 within the time stipulated by this Court.

For Petitioner : Mr.S.Ramakrishnan

For Respondents : Mr.A.Kannan (R1, R2 & R4)
Additional Government Pleader

Mr.D.Sasikumar,
Addl. Govt. Pleader for R3
Mr.D.Muruganantham for R5
No Appearance for R7

ORDER

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

The petitioner has filed this writ petition seeking a direction to the respondent Nos.1 to 2 revenue officials herein to remove the



W.P.(MD)No.4311 of 2026

encroachments in the public pathway put up by the respondents Nos.5 to 7 in the Government Uvari land in survey No.1076/3B60, total extent is 1.73.05 hectores Situated at Udkadai Uppudurai village, Kadamalaikundu, Aundipatti Taluk, Theni District in the light of the eviction notice issued by the 2nd respondent vide under section 6 of the Tamilnadu Land Encroachment Act, 1905 to the 5th respondent vide Na.Ka.No. 2221/25/Aa6 on 04.06.2025 and by considering petitioner's representation dated 12.11.2025 within the time stipulated by this Court.

2. According to the petitioner, the respondents 5 to 7 encroached upon a public pathway by putting up constructions in Survey No.1076/3B60, Situated at Udkadai Uppudurai village, Kadamalaikundu, Aundipatti Taluk, Theni District. The said land has been classified as “Government Uvari” land and the encroachment has prevented public use of the common pathway. Further, the 2nd respondent issued an eviction notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 on 04.06.2025. Thereafter, no steps have been taken to remove the encroachment. Hence, the petitioner has filed this Writ Petition.



W.P.(MD)No.4311 of 2026

3. The learned Additional Government Pleader appearing for the respondents 1, 2 and 4 would submit that already Section 6 notice has been issued and they will remove the encroachment, in accordance with law.

4. In view of the above, since an eviction notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 has already been issued for the removal of the encroachment, the 2nd respondent is directed to proceed with the action already initiated, in accordance with law, for removal of the encroachment, after giving opportunity to the petitioner and the respondents 5 to 7. This entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

5. 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.]
16.04.2026

Index :Yes/No
Internet :Yes
vsm



W.P.(MD)No.4311 of 2026

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W.P.(MD)No.4311 of 2026

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