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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.04.2026**

CORAM:

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

AND

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

W.P.(MD)No.5225 of 2026

and

W.M.P.(MD)No.4366 of 2026

Jayabalan

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.
- 3.The Tahsildar,
Tiruchendur Taluk,
Thoothukudi -District.
- 4.The Village Administrative Officer,
Udankudi Revenu Village,
Tiruchendur Taluk,
Thoothukudi District.
- 5.The Executive Officer,
Udankudi Town Panchayat,
Udankudi,



Tiruchendur Taluk,
Thoothukudi District.

6.Amburos
7.Dinakaran
8.Amirtharaj
9.Suresh

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No. 1 to 5 to take the necessary action against the respondent 6 to 9 and to remove the pathway encroachment of fencing and constructions made in Government Land, is situated in Survey No.505/1A, 505/1B, 505/2, Ward 8, Udankudi Town Panchayat, Tiruchendur Taluk, Thoothukudi District by considering the petitioner's Representation dated 12.02.2026 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.M.Manivelpandian
For Respondents : Mr.A.Kannan (R1 to R5)
Additional Government Pleader
Mr.V.Rajiv Rufus (R6 to R8)

ORDER

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

This writ petition has been filed seeking a direction to the respondents 1 to 5 to remove the encroachment made by the private respondents in the public pathway.



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2.The contention of the petitioner is that the private respondents herein have made encroachment in the public pathway by installing fencing and compound wall. In this regard, the petitioner has made several representations to the authorities concerned. Since the same was not considered, the petitioner has filed the present writ petition.

3.The learned counsel appearing on behalf of the private respondents submits that they have not made any encroachment in the pathway and it is their own patta land.

4.The learned Additional Government Pleader appearing for respondents 1 to 5, on instructions, submitted that the petitioner's representations would be considered and that the authorities concerned would conduct a survey of the land in question in the presence of all the parties concerned. He further submitted that appropriate action would be taken to remove the encroachment, if any.

5.In such view of the matter, the authorities concerned are directed to conduct a survey in the place in question, after issuing notice to the petitioner, the private respondents herein and all other parties



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concerned, if any, within a period of two weeks from the date of receipt of a copy of this order. The private respondents shall also produce all the necessary documents with regard to their title before the authorities concerned at the time of survey for verification. If the survey reveals any encroachment, the authorities concerned shall take necessary action for the removal of such encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of three months thereafter.

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.]
10.04.2026

Index : Yes/No
Internet : Yes
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To

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5. The Executive Officer,
Udankudi Town Panchayat,
Udankudi,
Tiruchendur Taluk,
Thoothukudi District.



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

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