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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.03.2026**

CORAM:

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

AND

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

W.P.(MD)No.7433 of 2026

M.Subburaj

... Petitioner

Vs.

- 1.The District Collector,
Theni District,
Office of the District Collector,
Theni District- 625 531.
- 2.The District Revenue Officer (DRO),
Office of the District Revenue Officer,
Theni District 625 531
- 3.The Tahsildar
Uthamapalayam Taluk Office,
Uthamapalayam,
Theni District 625533
- 4.The Commissioner of Land Administration,
Chepauk, Chennai 600 005.
5. Jain Ramesh
6. Suresh
7. Shanthi Jeya

...Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the respondents 1 to 4 to cancel the Patta Nos.2346 and 2689 granted in favour of respondents 5 to 7 in respect of Survey Nos.3693/61 and 3693/64 situated at Kombai Village, Uthamapalayam Taluk, Theni District, and further direct the respondents 1 to 4 to take appropriate action in accordance with law to remove the illegal superstructures, compound walls and encroachments put up by respondents 5 to 7 in the said Government lands and restore the public pathway to its original condition for the free use of the villagers, Kombai Village, Uthamapalayam Taluk, Theni District, by considering the petitioner's representation dated 11.02.2026 within a time frame fixed by this Court.

For Petitioner : Mr.M.Rajesh
For Respondents : Mr.A.Kannan (R1 to R4)
Additional Government Pleader

ORDER

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

This writ petition is filed seeking a direction to the respondents 1 to 4 to cancel the patta issued in favour of the private respondents herein in respect of the property in Survey Nos.3693/61 and 3693/64 situated at Kombai Village, Uthamapalayam Taluk, Theni District and to restore the public pathway to its original condition by considering the petitioner's representation dated 11.02.2026.



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2.Mr.A.Kannan, learned Additional Government Pleader accepts notice for the respondents 1 to 4. In view of the order proposed to be passed in this writ petition, notice to the private respondents is dispensed with.

3.By consent, this writ petition is taken up for final disposal at the stage of admission itself.

4.The contention of the petitioner is that the subject properties are the government lands and are used by the villagers for several decades as a public pathway. However, the private respondents, have illegally obtained patta and put up a compound wall in the said property. The representation submitted by the petitioner to cancel such illegal pattas granted to the private respondents herein did not evoke any response. Hence, the petitioner has filed the present writ petition.

5.The learned Additional Government Pleader appearing for the official respondents, on instructions, submitted that the subject properties are the properties of the private respondents and in the



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revenue records it has been classified as Ryotwari manai. Hence, he opposes this writ petition.

6. Heard the learned counsel appearing on either side and perused the entire materials placed on record.

7. From the records, it is seen that the petitioner, with the very same prayer as sought in this writ petition, has earlier filed a writ petition before this Court in W.P.(MD)No.28938 of 2022, which was dismissed with liberty to the petitioner to approach the revenue authorities for cancellation of patta granted in favour of the private respondents herein. However, the petitioner without approaching the revenue officials, has once again filed this writ petition, which is nothing but a clear abuse of process of law.

8. We are of the considered view that, in the present writ petition, the petitioner seeks to espouse a private interest rather than any genuine public interest. If at all any patta is granted to the private respondents, the proper way for the petitioner is to file approach the revenue authorities and work out his remedy. Hence, we are not inclined to entertain this writ petition.



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9. Accordingly, this writ petition is dismissed with costs of Rs.5,000/- (Rupees Five Thousand only) payable to the Women Advocate Association Creche attached to the Madurai Bench of Madras High Court within a period of one week from the date of receipt of a copy of this order. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
18.03.2026

Index : Yes/No
Internet : Yes
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4. The Commissioner of Land Administration,
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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