



W.P(MD)No. 5918 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :04.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.P(MD)No. 5918 of 2026
and
W.M.P.(MD) No.4937 of 2026**

Trustee Thoothukudi District Vilathikulam Taluka
Kulathur Hindu Vaniga Vysya Kulathirkku Pathiaypatta
Sri Sakthi Kaliyamman Koil Trust
rep. by its trustee
K.Paramasivam.

... Petitioner

Vs

1. The District Collector,
Thoothukudi District.
Thoothukudi.
2. The Commissioner,
Thoothukudi Corporation,
Thoothukudi.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti.
4. The Block Development Officer,
Vilathikulam,
Thoothukudi District.



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5. The Executive Officer,
Kulathur Panchayat Office,
Kulathur,
Vilathikulam Taluk,
Thoothukudi District.

6. The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.

7. A. Petchimuthu

8. P. Velrajan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 6 to take necessary action against the respondents 7 and 8 and to remove the encroachment as well as the unauthorized construction in the property in Natham Survey No.490/36 situated at Kulathur Village, Vilathikulam Taluk, Thoothukudi District by considering the representation dated 12.01.2026 made by the petitioner trust.

For Petitioner	: Mr. A.Mohamedhaneef
For R1 & R3	: Mr.D.Sasikumar Additional Government Pleader
For R4 & R5	: Mr. S.P.Maharajan Special Government Pleader
For R2	: Mr.N.Ananadhakumar Standing Counsel



ORDER

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

The petitioner seeks a direction to remove the encroachment made by the respondents 7 and 8.

2. The petitioner is the trustee of Sri Sakthi Kaliyamman Temple. According to the petitioner, the respondents 7 and 8 have encroached upon the land in Natham Survey No.490/36. The said land is classified as ‘sarkar poramboke’ and the said land is being used by the people at the time of temple festival and also the land has been used as an access to the temple and it is maintained by the temple without any obstructions. Hence, he seeks a direction to remove the same.

3. The learned Special Government Pleader for the respondents 4 and 5, citing the communication sent by the Tahsildar, submits that the land is classified as ‘Natham’ and they will take a survey. In the event of any encroachment is found, they will proceed as per law.



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4. In view of the same, this Court is of the view that let the respondents conduct survey and in the event of any encroachment, they shall proceed as per law and before taking any action, proper opportunity shall be provided to the private respondents.

5. With the said observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

[N.S.K., J.] & [M.J.R., J.]
04.03.2026

To
1. The District Collector,
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Thoothukudi.

2. The Commissioner,
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Thoothukudi.

3. The Revenue Divisional Officer,
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4. The Block Development Officer,
Vilathikulam,
Thoothukudi District.

5. The Executive Officer,
Kulathur Panchayat Office,
Kulathur,
Vilathikulam Taluk,
Thoothukudi District.

6. The Tahsildar,
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AND
M.JOTHIRAMAN, J.

apd

ORDER MADE IN

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