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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.03.2026**

CORAM:

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

AND

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

W.P.(MD)No.6651 of 2026

S.B.Prabhakar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Secretariat,
Chennai 600 009.
2. The Director,
Directorate of Rural Development and Panchayat Raj,
Chennai
3. The District Collector,
Ramanathapuram District,
Ramanathapuram
4. The Project Director,
Directorate of Rural Development and Panchayat Raj,
Ramanathapuram
5. The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram



6. The Block Development Officer,
Panchayat Union Office,
Mudhukulathur Circle,
Ramanathapuram District.

7. Balamurugan

...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 take appropriate action against the illegal construction put up by the 7th Respondent in K.K. (Kalaigharin Kanavu Illam) Housing Project in violation of the Tamil Nadu Government Rules, by conducting an enquiry into the manipulation/misuse of Government funds and to refund the amount under the benefit of Kalaigharin Kanavu Illam from the 7th Respondent to the Government, based on the Petitioners representation dated 01.12.2025.

For Petitioner : Mr.P.Krishnasamy
For Respondents : Mr.P.T.Thiraviam (R1 to R5)
Government Advocate
Mr.J.Ashok (R6)
Additional Government Pleader

ORDER

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

The petitioner has filed this writ petition seeking a direction to the respondents 1 to 4 to take appropriate action against the illegal construction put up by the seventh Respondent in K.K. (Kalaigharin



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Kanavu Illam) Housing Project in violation of the Tamil Nadu Government Rules, by conducting an enquiry into the manipulation/misuse of Government funds and to refund the amount under the benefit of Kalaignarin Kanavu Illam from the 7th Respondent to the Government, based on the representation of the petitioner dated 01.12.2025.

2.Mr.P.T.Thiraviam, learned Government Advocate, accepts notice for the respondents 1 to 5 and Mr.J.Ashok, 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 seventh respondent is dispensed with.

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

4.The main contention of the petitioner is that the seventh respondent was allotted with the properties in Survey Nos.487/9 and 487/10. The seventh respondent taking advantage of the above said allotment, has tried to put up construction in the property in Survey No.



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487/7, over which, according to the petitioner, he has right. Therefore, he seeks a direction.

5. At the outset, this Court is of the considered view that the filing of the present writ petition, in the guise of a Public Interest Litigation, amounts to a clear abuse of the process of law. The main grievance of the petitioner is with regard to the title dispute. Such disputed questions of fact cannot be adjudicated by this Court in exercise of its jurisdiction under Article 226 of the Constitution of India. In view of the above, it is open to the petitioner to work out his remedies and establish his rights over the subject property before the competent civil court, in the manner known to law.

6. Accordingly, the writ petition is dismissed. No Costs.

[N.S.K., J.] & [M.J.R., J.]
11.03.2026

Index : Yes/No
Internet : Yes
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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