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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.7583 of 2026

G.Yasodha

... Petitioner

Vs.

1.The Monitoring Committee/The District Collector,
District Collector's Office,
Trichy District.

2.The Revenue Divisional Officer,
R.D.O.Office,
Musiri,
Trichy District.

3.The Tahsildar,
Thottiyam Taluk Office,
Thottiyam Taluk,
Trichy District.

4.Karuppan

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to remove the encroachments committed by the fourth respondent in the property situated at Trichy District, Thottiyam Taluk, Nagaiyanallur Village, Kavarappatti, S.F.No.202/3 and S.F.No.733/24 in the light of the



petitioner's representation dated 07.02.2026 within a stipulated period as fixed by this Court.

For Petitioner : Mr.J.Jahir Hussain
For Respondents : Mr.J.Ashok (R1 to R3)
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 official respondents to remove the encroachments committed by the fourth respondent in the property situated at Trichy District, Thottiyam Taluk, Nagaiyanallur Village, Kavarappatti, S.F.No.202/3 and S.F.No.733/24 in the light of the petitioner's representation dated 07.02.2026.

2.Mr.J.Ashok, learned Additional Government Pleader, accepts notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed, notice to the fourth respondent is dispensed with.

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



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4. According to the writ petitioner, the fourth respondent herein has encroached in the government porombokku land declining access to the petitioner's property. His request to the authorities concerned to take appropriate action against the encroacher has not been considered. Hence, the petitioner has filed the present writ petition.

5. The learned Additional Government Pleader appearing on behalf of the respondents 1 to 3, on instructions, submitted that the representation of the petitioner has been duly considered. It is submitted that, upon conducting a survey of the property, the authorities found that the fourth respondent had encroached upon Government land. Consequently, a notice under Section 7 of the Land Encroachment Act has been issued to the fourth respondent. Challenging the said notice, the fourth respondent has filed a suit in O.S. No. 52 of 2025 on the file of the District Munsif Court, Thottiyam. Hence, the proceedings initiated under the provisions of the Land Encroachment Act has not been concluded.

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



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7.It is seen that, based on the representation submitted by the petitioner, the authorities concerned have conducted a survey and found that the fourth respondent has encroached upon Government poromboke land. Pursuant thereto, the authorities have initiated proceedings under the provisions of the Land Encroachment Act by issuing notice under Section 7 to the fourth respondent. It is further brought to the notice of this Court that the fourth respondent has challenged the said notice by filing a civil suit in O.S. No. 52 of 2025 on the file of the District Munsif Court, Thottiyam, and the same is pending adjudication.

8.In view of the above, this Court is of the considered opinion that the issue relating to the alleged encroachment has already been seized by the competent Civil Court. Therefore, it would not be appropriate for this Court to adjudicate upon the disputed questions of fact.

9.Accordingly, this writ petition is dismissed. However, it is made clear that the authorities concerned are at liberty to proceed further



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in accordance with law, subject to the outcome of the civil suit pending before the competent Court. 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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AND
M.JOTHIRAMAN, J.**

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