



W.P(MD)No.7200 of 2026

WEB CODE **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 17.03.2026

CORAM:

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

W.P(MD)No.7200 of 2026

N.Peruma

... Petitioner

VS.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Commissioner,
Tirunelveli Municipal Corporation,
Tirunelveli District.

3.The Tahsildar,
Tirunelveli Taluk,
Tirunelveli.

4.Mathiyalagan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus, directing the respondents 1 to



W.P(MD)No.7200 of 2026

3 to remove the encroachment made by the 4th respondent in T.S.No.1183, situated at Adi Dravidar Street, Pappa Melatheru, Block 8, Ward No. 6 of Tirunelveli Corporation, Tirunelveli District classified as public pathway based on the petitioner's representation dated 27.01.2026.

For Petitioner : Mr.P.Edward Raja

For Respondents : Mr.P.T.Thiraviam (R1 & R3)
Government Advocate

ORDER

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

The petitioner has filed the present Writ Petition seeking a direction to respondents 1 to 3 to remove the encroachment made by the fourth respondent in T.S. No. 1183, situated at Adi Dravidar Street, Pappa Melatheru, Block 8, Ward No. 6 of Tirunelveli Corporation, Tirunelveli District, which is classified as a public pathway.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P(MD)No.7200 of 2026

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3.Mr.P.T.Thiraviam, learned Government Advocate, accepts notice for the respondents 1 and 3. Considering the limited relief sought for by the petitioner, notice to the fourth respondent is dispensed with.

4.It is the contention of the petitioner that the fourth respondent has encroached upon the public pathway by laying a building foundation and placing construction materials on the said pathway. In this regard, the petitioner submitted a representation dated 27.01.2026 before the authority concerned. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

5.The learned Government Advocate appearing for respondents 1 and 3, on instructions, submitted that the petitioner's representation dated 27.01.2026 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.



W.P(MD)No.7200 of 2026

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6.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 fourth respondent and all other parties concerned, if any, within a period of two weeks from the date of receipt of a copy of this order. 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.

7.With the above directions, this Writ Petition is disposed of. No costs.

[N.S.K.,J.] [M.J.R.,J.]
17.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



W.P(MD)No.7200 of 2026

WEB COPY

To

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W.P(MD)No.7200 of 2026

N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

ps

ORDER MADE IN
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