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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2026**

CORAM:

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

AND

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

W.P.(MD)No.8989 of 2026

Matharsathul Quba Trust,
Thamarai Nagar 2nd street,
Salaiaiyur, Seelapadi Village,
Dindigul,
Represented by its Secretary Tajudeen

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Office, Dindigul.
- 2.The District Revenue Officer,
Collectorate Office, Dindigul.
- 3.The Revenue Divisional Officer,
RDO Office, Bazar,
Dindigul District.
- 4.The Corporation Commissioner,
Dindigul City Municipal Corporation Commissioners Office,
No.13, Main Road, Dindigul.
- 5.The West Thasildhar,
Taluk Office Road,
Dindigul.



6.The Block Development Officer (Panchayat),
Dindigul District Panchayat Union Office,
Dindigul.

7.The Executive Officer,
Seelapadi Panchayat,
Seelapadi, Dindigul District.

8.Ramachandiran

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fifth and sixth respondents to remove the encroachment made by the eighth respondent and to lay a tar road on the East-West layout road situated in Survey No. 275/4B1, pursuant to the petitioner's representation dated 06.10.2025.

For Petitioner : Mr.R.S.Mohamed Wasim
For Respondents : Mr.S.P.Maharajan (RR1 to 3, 5 & 6)
Special Government Pleader

ORDER

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

The petitioner has filed this writ petition to direct the fifth and sixth respondents to remove the encroachment made by the eighth respondent and to lay a tar road on the East-West layout road situated in Survey No.275/4B1, pursuant to the petitioner's representation dated 06.10.2025.



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2.Mr.S.P.Maharajan, learned Special Government Pleader, accepts notice for the respondents 1 to 3, 5 and 6. In view of the order proposed to be passed in this writ petition, notice to the fourth, seventh and eighth respondents 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 contention of the petitioner is that he has purchased two plots in the approved layout. The eighth respondent in the pathway made an illegal encroachment completely denying the right to access the petitioner's property. Hence, the petitioner has made representation to the authorities concerned. Since the same was not considered, the petitioner has filed the present writ petition.

5.We have perused the entire materials placed on record.

6.At the outset, this Court is of the considered view that the petitioner has not produced any material evidence to show that the subject property is vested with the local body. Further, if the property is



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vested with the local body, the provisions of the Land Encroachment Act cannot be invoked. If any easementary right is alleged to have been infringed, the appropriate remedy available to the petitioner is to approach the competent Civil Court for necessary relief.

7. In view of the above, no further direction is called for in the present writ petition. The Revenue Authorities shall proceed with the enquiry and pass appropriate orders, in accordance with law.

8. With the above observations, the writ petition stands dismissed. No costs.

[N.S.K., J.] & [M.J.R., J.]
01.04.2026

Index : Yes/No
Internet : Yes
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To

1. The District Collector,
Collectorate Office, Dindigul.
2. The District Revenue Officer,
Collectorate Office, Dindigul.



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3. The Revenue Divisional Officer,
RDO Office, Bazar,
Dindigul District.

4. The West Thasildhar,
Taluk Office Road,
Dindigul.

5. The Block Development Officer (Panchayat),
Dindigul District Panchayat Union Office,
Dindigul.

6. The Executive Officer,
Seelapadi Panchayat,
Seelapadi, Dindigul District.



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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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