



W.P(MD)No.7343 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.7343 of 2026

K.Ponnuchamy

... Petitioner

VS.

**1.The District Collector,
Virudhunagar Collectorate Campus,
Virudhunagar - 626 002.**

**2.The Revenue Divisional Officer,
Virudhunagar - 626 002.**

**3.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar - 626 002.**

**4.The Block Development Officer,
O/o Block Development Officer,
Virudhunagar - 626 002.**

**5.The Assistant Director of Rural Development,
Virudhunagar - 626 002.**

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6.The Village Panchayat,
Vachakkarapatti Village Panchayat,
Virudhunagar Taluk,
Virudhunagar - 626 204.

7.Rasu Thevar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st to 6th respondents to remove the encroachment made by the 7th respondent in the public pathway Survey No.216/6 at Vachakkarapatti Village, Virudhunagar District which was confirmed by the order dated 07.02.2024 in Na.Ka.Aa 1/4467/2023 of the 3rd respondent within a time frame by this Court.

For Petitioner : Mr.M.Jayakumar

For Respondents : Mr.S.P.Maharajan (R1 to R3 & R5)
Special Government Pleader

: Mr.A.Kannan (R4)
Additional Government Pleader

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 6 to remove the encroachment made by the

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seventh respondent in the public pathway in Survey No.216/6, situated at Vachakkarapatti Village, Virudhunagar District, which was confirmed by the proceedings of the third respondent dated 07.02.2024 in Na.Ka.Aa1/4467/2023, within a time frame to be fixed by this Court.

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

3.Mr.S.P.Maharajan, learned Special Government Pleader, accepts notice for the respondents 1 to 3 and 5, and Mr.A.Kannan, learned Additional Government Pleader, accepts notice for the fourth respondent. Considering the limited relief sought for, notice to the seventh respondent is dispensed with.

4.It is the case of the petitioner that he had submitted a representation to the third respondent on 22.09.2023 seeking removal of the encroachment made by the private respondent. Pursuant to the said



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representation, the third respondent conducted a survey and confirmed the encroachment made by the seventh respondent by proceedings dated 07.02.2024. Though such proceedings were issued as early as on 07.02.2024, the encroachment has not been removed by respondents 1 to 6. Hence, the present Writ Petition.

5.The learned Special Government Pleader appearing for respondents 1 to 3 and 5, on instructions, submitted that the encroachment has already been identified and a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 has been issued to the seventh respondent. It is further submitted that the seventh respondent has submitted his explanation, and that the authority concerned will proceed to issue notice under Section 6 of the Act and take appropriate action for removal of the encroachment by following due process of law.

6.In view of the above, the authorities concerned are directed to complete the entire process, after affording sufficient opportunity of



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personal hearing to all the parties concerned, including the seventh respondent, and by following due process of law, within a period of two months from the date of receipt of a copy of this order.

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
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