



WEB COPY



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W.P.(MD)NO.8739 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R.POORNIMA

W.P.(MD)No.8739 of 2022

P.Karalam

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

3. The Block Development Officer,
Kariyapatti Panchayat Union,
Kariyapatti,
Virudhunagar District.

4. The President,
Aviyur Village Panchayat,
Kariyapatti Panchayat Union,
Virudhunagar District.

5. K.Chandran

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the



respondents 3 and 4 herein to take immediate action for the removal of encroachment made by the fifth respondent herein in survey No.234/22 situated at Aviyur Village, Kariyapatti Taluk, Virudhunagar District in the light of the proceedings of the third respondent dated 29.01.2021 within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.M.P.Senthil,
Government Advocate.

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for respondents 1 to 4.

2. Issuance of notice to the fifth respondent is dispensed with.

3. The petitioner is a resident of Aviyur Village. His grievance is that the fifth respondent has encroached the petition mentioned land in survey No.234/22.



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4. The records enclosed in the typed set of papers indicate that survey No.234/22 has been classified as “padhai(road)”. It is well settled that roads cannot be encroached. The third respondent appears to have already issued communication in this regard calling upon the fifth respondent to remove the encroachment.

5. We, therefore, direct the Tahsildar, Kariyapatti Taluk to take action under the Tamil Nadu Land Encroachment Act, 1905 in this regard. If the encroachment is confirmed, then it shall be removed by following due process of law. The entire exercise will be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)

01st June 2026

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

PMU



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W.P.(MD)NO.8739 OF 2022

G.R.SWAMINATHAN, J.

AND

R.POORNIMA, J.

PMU

To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.
3. The Block Development Officer,
Kariyapatti Panchayat Union,
Kariyapatti,
Virudhunagar District.
4. The President,
Aviyur Village Panchayat,
Kariyapatti Panchayat Union,
Virudhunagar District.

W.P.(MD)No.8739 of 2022

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