



W.P.(MD)No.7861 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.7861 of 2026
&
W.M.P.(MD)Nos.6445, 6449 & 6451 of 2026

Vinoth

... Petitioner

Vs.

- 1.The Distict Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Vadipatty Taluk
Maudrai District.
- 3.The Inspector of Police,
Vadipatty Police Station,
Vadipatty, Madurai District.
- 4.The Surveryor,
Katchaikatti,
Vadipatty Taluk,
Madurai District.
- 5.Swami Ramanagiri Charity Trust,
Represented by its Managing Trustee,
Kutladampatty,



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T.Vadipatty Taluk,
Madurai District.

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6.R.Ramana Prasath

7.Sornalakshmi

8.R.Indumathi

9.R.Kanakathara

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to remove the cart track encroachment in Survey No. 28 Kachaikatti village, Vadipatti Taluk, Madurai District, odai (water body) in Survey No 25 and 28 Kachaikatti village, Vadipatti Taluk, Madurai District and government land in Survey No 23/2A to an extent of 0.48 ares situated at Kachaikatti village, Vadipatti Taluk, Madurai District made by the respondents 6 to 9 based on the petitioner's representation dated 08.12.2025.

For Petitioner :Mr.R.Rajaraman

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1, R2 & R4
: Mr.K.Gnanasekaran
Government Advoate
for R3
: Mr.R.S.Sivaram
for R5
: No appearance
for R6 to R9



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ORDER

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Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for R1 to R4 and the learned Government Advocate for R3 and the learned counsel for R5.

2. This appears to be a dispute over pathway between two ashrams. namely Ramanagiri Ashram and Ramalayam Ashram. The petitioner claims that Survey No.25 is a water body and that S.No.28 is a cart track and that the fifth respondent had committed encroachment on both.

3. The Tahsildar, Vadipatty is directed to conduct survey in respect of S.No.25. Notice will be given to the writ petitioner as well as the fifth respondent. If encroachment is found in S.No.25, it will be removed by adhering to due process of law.

4. As regards S.No.28, our hands are tied. Already, the sixth respondent filed W.P.(MD)No.3891 of 2026 challenging the survey notice issued by the Tahsildar, Vadipatty. The writ petition was allowed by the learned single Judge on 11.02.2026 and the parties were directed to workout their rights before the jurisdictional Civil Court. Aggrieved by the same, the petitioner herein filed W.A.(MD)No.433 of 2026. The Hon'ble Division Bench dismissed



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the writ appeal on 01.04.2026. Paragraph No.4 of the said order reads as

follows:-

“4.When the learned Single Judge has only relegated the parties to work out their remedy before the Civil Court, it is for the appellant, if he so desires, to establish his right over the pathway in the manner known to law. We do not find any infirmity or illegality in the order impugned warranting interference in this writ appeal.”

Hence, no relief can be granted in this writ petition as regards S.No.28.

5. The Writ Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
22.04.2026

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

B.PUGALENDHI, J.

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