



W.P(MD)No.15643 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10.06.2026

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

W.P(MD)No.15643 of 2026

Karuppasmy

... Petitioner

Vs.

1. The District Collector/Monitoring Committee,
Tenkasi District,
Tenkasi.

2. The Assistant Director (Panchayat),
Rural Development and Panchayat Raj Department,
Tenkasi, Tenkasi District.

3. The Block Development Officer,
Sankarankovil Panchayat Union,
Tenkasi District.

4. The Tahsildhar,
Sankarankovil Taluk,
Tenkasi District.

5. The President,
Kalappakulam Panchayat,
Tenkasi District.

6. Mariappan

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents No.1 to 5 to remove the encroachment on the common pathway



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comprised in Survey No.770/3 situated at Puliyampatti Colony, Kalapakulam Village, Sankarankovil Taluk, by demolishing the illegal toilet room structure being constructed by 6th respondent, on the basis of the petitioner's representation dated 06.03.2026.

For Petitioner : Mr.T.Indrachithu
For R1 to R5 : Mr.S.Venkatesh
Counsel for State

ORDER

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

The petitioner has sought for a Mandamus, directing the Respondent Nos. 1 to 5 to remove the encroachment on the common pathway comprised in Survey No.770/3 situated at Puliyampatti Colony, Kalapakulam Village, Sankarankovil Taluk, by demolishing the illegal toilet room structure being constructed by 6th respondent, on the basis of the petitioner's representation dated 06.03.2026.

2. When we posed a question to the learned counsel for the petitioner as to the classification of the subject land, learned counsel brought to our notice 'A' Register annexed in the typed set of papers. Perusal of the same indicates that Survey No.770/3 is classified as a house-site and punja land and it is not a Government land. Learned counsel for the State also, on instructions from the



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4th respondent/Tahsildar, has affirmed the same and produced the details of the village accounts in this regard. Since the subject land is classified as house site and punja land, the question of removing the encroachment does not arise. If at all the petitioner has any right over the pathway in question, he has to file appropriate civil suit to establish easementary rights before the competent Civil Court.

3. In that view of the matter, the Writ Petition is dismissed. No costs.

[N.S.K., J.] & [M.J.R., J.]
10.06.2026

Index : Yes / No
Neutral Citation : Yes / No
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To

1. The District Collector/Monitoring Committee,
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Tenkasi.

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4. The Tahsildhar,
Sankarankovil Taluk,
Tenkasi District.
5. The President,
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Tenkasi District.

ORDER MADE IN
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DATED : 10.06.2026