



W.P(MD)No.7998 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2026

CORAM:

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

**W.P(MD)No.7998 of 2026
and
W.M.P(MD)No.6540 of 2026**

A.Sabina Afrin

... Petitioner

vs.

- 1.The District Collector,
Thoothukkudi District, Korampallam,
Thoothukudi.
- 2.The Superintendent of Police,
Thoothukkudi,
Thoothukkudi District.
- 3.The Tahsildar.
Kayathar Taluk.
Thoothukkudi District.
- 4.The Executive Officer,
Kayathar Panchayat,
Kayathar.



5.K.Syed Ali

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... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to pass suitable orders to demolish the permanent structures made by the fifth respondent in the public road/pathway, comprised in old Survey No.723/14 and Resurvey No.723/27, Survey No.723/69, Kayathar Village and Taluk, Thoothukudi District, by passing orders on the detailed representation of the petitioner dated 05.03.2026 sent to the first respondent, within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.Aravinthan
for M/s.Aran Legal Consultancy

For Respondents : Mr.A.Kannan (R1 & R3)
Additional Government Pleader

: Mr.K.Sanjay Gandhi (R2)
Government Advocate (Crl. Side)

: Mr.P.Thilak Kumar (R4)

: Mr.L.Prabhakaran (R5)



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ORDER

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

The petitioner has filed the present Writ Petition seeking a direction to the respondents 1 to 4 to pass suitable orders for the demolition of the permanent structures put up by the fifth respondent on the public road/pathway comprised in Old Survey No.723/14 and Resurvey No.723/27, as well as Survey No.723/69, situated at Kayathar Village and Taluk, Thoothukudi District, by considering the detailed representation of the petitioner dated 05.03.2026 submitted to the first respondent.

2.Mr.A.Kannan, learned Additional Government Pleader, accepts notice for respondents 1 and 3; Mr.K.Sanjay Gandhi, learned Government Advocate (Criminal Side), accepts notice for the second respondent; Mr.P.Thilak Kumar, learned counsel, accepts notice for the fourth respondent; and Mr.L.Prabhakaran, learned counsel, accepts notice for the fifth respondent.



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3.The main contention of the petitioner is that the fifth respondent has encroached upon the pathway and put up construction, thereby blocking the same. In this regard, the petitioner submitted a representation dated 05.03.2026 before the authority concerned. Since the same has not been considered so far, the present Writ Petition has been filed.

4.The learned counsel appearing for the fifth respondent submitted that the fifth respondent has been granted assignment in respect of Survey No.723/14 to an extent of about 78 square metres.

5.The learned Additional Government Pleader appearing for the respondents 1 and 3, on instructions, submitted that the said assignment is not in dispute.

6.Though the learned Additional Government Pleader has not disputed the assignment, the photographs annexed to the Writ Petition indicate that the public pathway has been blocked.



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7.In view of the above, the third respondent/Tahsildar is directed to conduct a survey of the property in question, after issuing notice to the petitioner, the fifth respondent, and all other parties concerned, if any, within a period of two weeks from the date of receipt of a copy of this order. If the survey reveals any encroachment beyond the assigned area, the authorities concerned shall take necessary action for the removal of such encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of three months thereafter.

8.With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
25.03.2026

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

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To

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Thoothukkudi District, Korampallam,
Thoothukudi.
- 2.The Superintendent of Police,
Thoothukkudi,
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N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

ps

ORDER MADE IN
W.P(MD)No.7998 of 2026

DATED : 25.03.2026