



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.8008 of 2026

A.Peter

... Petitioner

Vs.

1. The District Collector,
Dindigul Collectorate,
Dindigul District.
2. The Tahsildhar,
Nilakkottai Taluk Office,
Nilakkottai,
Dindigul District.
3. The Surveyor,
Nilakkottai Taluk Office,
Nilakkottai,
Dindigul District.
4. The Village Administrative Officer,
Malayagoundanpatti Via,
Nilakkottai Taluk,
Dindigul District.

5. Selvaraj

...Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment in Survey Nos.170/4A1B, 187/1B and 188/1B with Patta No.68 situated at Murugathuranpatti Village, Nilakkottai Taluk, Dindigul District by taking into account the 3rd respondents report (Dated NIL) and do mutation of records by taking into account the petitioners representation dated 05.01.2026.

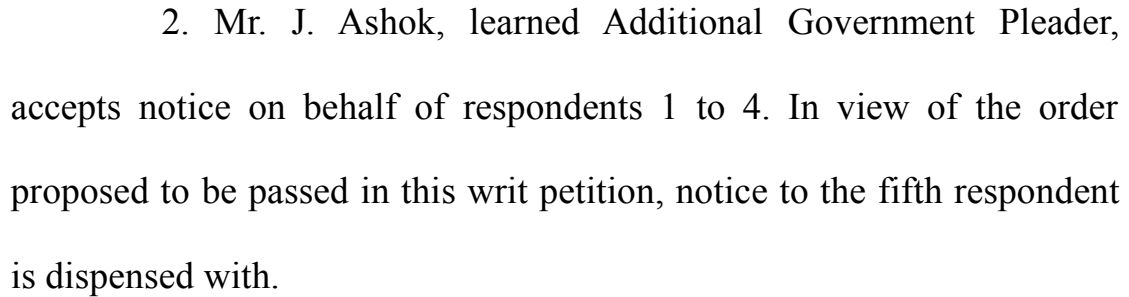
For Petitioner : M/s.A.Rajini

For R1 to R4 : Mr.J.Ashok
Additional Government Pleader

ORDER

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

The petitioner has filed this writ petition seeking a direction to the respondents to remove the encroachment in Survey Nos. 170/4A1B, 187/1B, and 188/1B, covered under Patta No. 68, situated at Murugathuranpatti Village, Nilakkottai Taluk, Dindigul District, by taking into account the third respondent's report (dated NIL) and to carry out mutation of records based on the petitioner's representation dated 05.01.2026.



3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The main grievance of the petitioner is that his patta land has been encroached upon by his cousin. Therefore, he seeks action against the said person for removal of the encroachment.

5. We are of the view that the prayer itself is misconceived. The provisions relating to land encroachment cannot be invoked in respect of private lands. If private land is encroached upon, it is for the petitioner to file an appropriate civil suit against the encroacher.



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6. In view of the above, this writ petition stands dismissed.

There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
26.03.2026

Index :Yes/No
Internet :Yes
am



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Dindigul District.



**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

am

W.P.(MD)No.8008 of 2026

26.03.2026