



W.P(MD)No.8261 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2026

CORAM:

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

W.P(MD)No.8261 of 2026

P.Rajagiri

... Petitioner

VS.

1.The District Collector,
Office of the Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Divisional Monitoring Committee,
Devakottai Taluk,
Sivagangai District.

3.The Tahsildar,
Taluk Office,
Sivagangai Taluk,
Sivagangai District.



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4.The Block Development Officer,
Block Development Office,
Kallal Union,
Sivagangai District.

5.M.Perumal

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 4 to take necessary steps to remove the encroachment made by the 5th respondent in S.Nos.547/14 and 548/7 an extent of 14 meters length and 3 meters breath in the public pathway of Sembanur Group, P. Nerpugaipatti Village of Sivagangai District by considering the petitioners representation dated 22.05.2025, within the period as stipulated by this Court.

For Petitioner : Mr.S.Rabeek Raja

For Respondents : Mr.D.Sasikumar (R1 to R4)
Additional Government Pleader

ORDER

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

The petitioner has filed the present Writ Petition seeking a direction to respondents 1 to 4 to take necessary steps to remove the encroachment allegedly made by the fifth respondent in Survey Nos.547/14



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and 548/7, to an extent of 14 metres in length and 3 metres in breadth, in the public pathway situated at Sembanur Group, P. Nerpugaipatti Village, Sivagangai District, by considering the petitioner's representation dated 22.05.2025.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Mr.D.Sasi Kumar, learned Additional Government Pleader, accepts notice for the respondents 1 to 4. Considering the limited relief sought by the petitioner, notice to the fifth respondent is dispensed with.

4.It is the contention of the petitioner that the fifth respondent has put up a compound wall, to an extent of 16 metres in length and 3 metres in breadth, by encroaching upon and obstructing the public street, thereby narrowing the same. Due to the said alleged encroachment, pedestrians and vehicular traffic are unable to use the pathway freely, resulting in traffic congestion and hardship to the general public. In this regard, the petitioner



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submitted a representation dated 22.05.2025 before the authorities concerned. As the same has not been considered thus far, the present Writ Petition has been filed.

5.The learned Additional Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that the petitioner's representation dated 22.05.2025 would be considered and that the authorities concerned would conduct a survey of the land in question in the presence of all parties concerned. He further submitted that appropriate action would be taken to remove the encroachment, if any.

6.In view of the above, the authorities concerned are directed to conduct a survey of the land in question, after issuing notice to the petitioner, the fifth respondent, and all other necessary parties, 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, the authorities shall take appropriate action for removal of the same, after affording sufficient opportunity of



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personal hearing to all parties concerned and by following due process of law, within a period of three months thereafter.

7. With the above directions, this Writ Petition is disposed of. No costs.

[N.S.K.,J.] [M.J.R.,J.]
27.03.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes

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To

1. The District Collector,
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Divisional Monitoring Committee,
Devakottai Taluk, Sivagangai District.

3. The Tahsildar,
Taluk Office, Sivagangai Taluk,
Sivagangai District.

4. The Block Development Officer,
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and
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ORDER MADE IN
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