



W.P(MD)No.9037 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 06.04.2026

CORAM

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

W.P(MD)No.9037 of 2026

R.Sangeetha

... Petitioner

Vs.

1. The Commissioner,
Gudalore Municipality,
Gudalore, Theni District.

2. The Tahsildar,
Talulk Office,
Uthamapalayam Taluk,
Theni District.

3. P.Kohilan

4. K.Praveena

... 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 1 and 2 herein to forthwith jointly remove the encroachments made by the respondents 3 and 4 herein in Survey No.



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2306/31 in Keela Gudalur West Village, Uthamapalayam Taluk, Theni District, in accordance with law and maintain the public pathway in Survey No.2306/31 with right of way and free access and free from encroachment for public forever.

For Petitioner : Mr.K.Appadurai
For R2 : Mr.D.Sasikumar
Additional Government Pleader

ORDER

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

The prayer in this writ petition is to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to forthwith jointly remove the encroachments made by the respondents 3 and 4 herein in Survey No.2306/31 in Keela Gudalur West Village, Uthamapalayam Taluk, Theni District, in accordance with law and maintain the public pathway in Survey No.2306/31 with right of way and free access and free from encroachment for public forever.



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2. The case of the petitioner is that Survey No.2306/31 in the abovesaid village is classified as Government poramboke / public pathway. However, the said pathway is encroached upon by the private respondents by scattering rock stones, flower pots and constructing steps to the floor. Despite the petitioner made a representation dated 27.03.2025 in this regard seeking removal of encroachment, the same has not been removed till date. Hence, this writ petition.

3. Learned Additional Government Pleader appearing for the 2nd respondent would submit that the 1st respondent will conduct enquiry and remove the encroachment by due process of law within a time frame.

4. Recording the above submission, the 1st respondent is directed to issue notice to the private respondents, conduct enquiry and if ultimately, the 1st respondent found encroachment in the subject pathway, the same shall be removed by due process of law, after affording opportunity to the private respondents and all the parties concerned. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.



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WEB COPY 5. With the above direction, the Writ Petition is disposed of.

No costs.

[N.S.K., J.] & [M.J.R., J.]
06.04.2026

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

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Gudalore Municipality,
Gudalore, Theni District.

2. The Tahsildar,
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