



W.P(MD)No.10463 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE P.B.BALAJI**

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Alagarsamy

... Petitioner

VS.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Illupur Revenue Divisional,
Illupur,
Pudukottai District.

3.The Thasildar,
Viralimalai Taluk,
Viralimalai,
Pudukottai District.

4.Solaimalai
5.Chinappa
6.Raman

... Respondents

1/6



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing 1 to 3 respondents to remove the encroachment made by the private respondents in survey No. 231/2 for an extent of 0.06.5, Government Poromboke land classified as cart track and survey Nos.231/4D, 231/5A and 231/6A for extent of 0.02.5, 0.05.0 and 0.16.5 hectares respectively classified as Nilaviyal pathway, situated at Viruthapatti Village, Viralimalai Taluk, Pudukottai District on the basis of the petitioner's representation dated 04.09.2025 within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.A.Kannan (R1 to R3)
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 the respondents 1 to 3 to remove the encroachments made by the private respondents in Survey No. 231/2, to an extent of 0.06.5 hectares,



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classified as Government poromboke land (cart track), and in Survey Nos. 231/4D, 231/5A and 231/6A, to extents of 0.02.5, 0.05.0 and 0.16.5 hectares respectively, classified as “Nilaviyal pathway,” situated at Viruthapatti Village, Viralimalai Taluk, Pudukkottai District.

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

3.Mr.A.Kannan, learned Additional Government Pleader, accepts notice for the respondents 1 to 3. Considering the limited relief sought for by the petitioner, notice to the respondents 4 to 6 is dispensed with.

4.It is the contention of the petitioner that the respondents 4 to 6 have encroached upon the public common pathway and put up constructions. In this regard, the petitioner submitted a representation dated 04.09.2025 before the authorities concerned. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.



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5.The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the petitioner's representation dated 04.09.2025 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 subject property, after issuing notice to the petitioner, the respondents 4 to 6 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 concerned shall take appropriate action for removal of the same, after affording sufficient opportunity of personal hearing to all parties concerned and by following due process of law, within a period of three months thereafter.



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7. With the above directions, the Writ Petition stands disposed of.

There shall be no order as to costs.

[N.S.K.,J.] [P.B.B.,J.]
15.04.2026

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

To

1. The District Collector,
Pudukottai District,
Pudukottai.
2. The Revenue Divisional Officer,
Illupur Revenue Divisional,
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