



W.P.(MD)No.10840 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.01.2026

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.10840 of 2025

Thukkayi Gounder

... Petitioner

/Vs./

1.The District Collector/Monitoring committee,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer,
Palani, Dindigul District.

3.The Tahsildar,
Oddanchatram Taluk,
Dindigul District.

4.Rajathi

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent in the public pathway comprised in Survey No.732/2 situated at Porulur Village, Oddanchatram Taluk, Dindigul District by considering the representations dated 23.09.2024 and 22.01.2025.



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For Petitioner : Mr.T.Leninkumar
For Respondents : Mr.S.R.A.Ramachandran (R1 to R3)
Additional Government Pleader
No Appearance (R4)

ORDER

(Order of the Court was delivered by **DR.G.JAYACHANDRAN, J.**)

This writ petition is filed seeking mandamus to direct the respondents 1 to 3 to remove the alleged encroachment made by the fourth respondent, namely Rajathi, in the public pathway comprising in Survey No.732/2 at Porulur Village, Oddanchatram Taluk, Dindigul District, based on the representations given by the writ petitioner on 23.09.2024 and 22.01.2025.

2.The learned Additional Government Pleader appearing for the official respondents has produced the counter affidavit of the third respondent, Tahsildar stating that in the total extent of 1.43.5 hectares of land in Survey No.732/2 was sub divided into Survey Nos.732/2, 732/3, 732/4, 732/5 and 732/6. In respect of Survey Nos.732/2 to 732/4, assignment patta was issued to the landless poor under Free Agricultural Land for Landless Poor Scheme, 2006. The fourth respondent was allotted with the land in Survey No.732/2 and he has obtained assignment patta to an extent of 0.41.5 hectares. A typed set of papers is



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filed to show that the assignment patta for 0.41.5 hectares of land in Survey No.732/2 was assigned to the fourth respondent vide proceedings dated 19.09.2006 under Free Agricultural Land for Landless Poor Scheme, 2006.

3.Survey No.732/5 remains as Government land and is used as public pathway, whereas in the land allotted to the fourth respondent in Survey No.732/2, there is no pathway after sub division of the land. FMB Sketch issued on 22.01.2026 shows that there is a 10 feet pathway on the southern end of Survey No.732/2. Counter of the third respondent specifically states that there is no encroachment in the said pathway.

4. According to the learned Additional Government Pleader, the land in Survey No.732/5 measuring an extent of 0.19.0 hectares, an extent of 10 feet is used as public pathway, which is going through the surrounding area of Survey No.732/2.

5.On consideration of FMB sketch annexed with the counter affidavit and the assertion made in the counter affidavit, we dispose of this writ petition stating that after sub division caused in Survey No.



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732/2, there is no encroachment in the public pathway in Survey No.

732/5. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
28.01.2026

Index :Yes/No

Internet :Yes

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To

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