



W.P(MD) No.13735 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 09.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P(MD) No.13735 of 2022
&
W.M.P.(MD)No.20930 of 2022**

S.Senthilkumar

... Petitioner

Vs.

- 1.The District Collector,
Collectorate, Sivagangai,
Sivagangai District.
- 2.The District Revenue Officer,
District Revenue Office,
Sivagangai, Sivagangai District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Ram Nagar,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Devakottai Taluk Office,
Ram Nagar,
Devakottai,
Sivagangai District.



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5.The Block Development Officer,
Block Development Office,
Devakottai, Sivagangai District.

6.Subbaiya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 2 to 5 herein to remove the encroachment and unauthorized construction made by the 6th respondent herein in Government poromboke situated in Ward No.Q, Block No.1, T.S.No.53/3 having extent of 43.4 cents and also poromboke land situated in T.S.No.53/2 in Eravucherry Group, Devakottai Taluk, Sivagangai District and to cancel the patta issued to the 6th respondent for the land T.S.No.53/3 having extent of 43.3 cents based on the petitioner's representation dated 18.02.2022 respectively within a stipulated time fixed by this Court.

For Petitioner : Mr.A.Muralikumar

For Respondents : Mr.M.P.Senthil
Government Advocate
for R1 to R5

: Mr.A.Rajini
for R6



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ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The petitioner alleges that the 6th respondent had encroached in the petition mentioned survey numbers. He wants the encroachments to be cleared.

3. When the matter was taken up for hearing, it has been established that T.S.No.53/3 was assigned in favour of the sixth respondent. It appears that some cancellation proceedings are pending but till the assignment is cancelled, the 6th respondent cannot be considered as an encroacher. Therefore, the question of issuing any direction at the instance of the petitioner at this stage in respect of T.S.No.53 / 3 does not arise at all.

4. It is seen that T.S.No.53/2 is a poramboke. It has not been classified as water body or street. The petitioner states that on account of occupation of T.S.No.53/2 by the sixth respondent, his access rights have been prevented.

5. We permit the petitioner to submit a representation to the fourth respondent. The fourth respondent is directed to issue notice to the sixth

3/6



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respondent and give a disposal on merits and in accordance with law within a period of eight weeks after it is submitted afresh. We have not gone into the merits of the matter. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.P., J.)
09.06.2026

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

To

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- 3.The Revenue Divisional Officer,
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Devakottai,
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4.The Tahsildar,
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Ram Nagar,
Devakottai,
Sivagangai District.

5.The Block Development Officer,
Block Development Office,
Devakottai, Sivagangai District.



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