



W.P.(MD)No.14777 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.03.2026

CORAM

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

**W.P.(MD)No.14777 of 2021
and
W.M.P.(MD)No.11692 of 2021**

Joseph Packianathan

... Petitioner

Vs.

- 1.The Secretary to Government,
Revenue Administration Department,
Fort. St.George, Chennai 600 009.
- 2.The District Collector,
Office of the District Collector,
Theni District.
- 3.The Revenue Divisional Officer,
Uthamapalayam, Theni District.
- 4.The Tahsildar,
Office of the Taluk Office,
Uthamapalayam,
Theni District.
- 5.The Executive Officer,
Hanumanthanpatti Town Panchayat,
Hanumanthanpatti, Uthamapalayam Taluk,
Theni District.



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- 6.The Executive Engineer,
Public Works Department (W.R.O),
Thallakulam, Madurai.
- 7.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
- 8.Udayarani
- 9.Pandiarajan
- 10.Selvaraj
- 11.Chinnavar
- 12.Jegan
- 13.Susai
- 14.Michael
- 15.Raja
- 16.Anthony
- 17.Arockiam
- 18.Chinnappar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings issued by the 4th respondent in Na.Ka.No.4290/2021/A3 dated 19.07.2021 and quash the same and consequently directing the respondents 1 to 7 herein



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to remove the encroachments made by the respondents 9 to 18 in the lands comprised in S.No.388 situated at Hanumanthanpatti Town Panchayat, Uthamapalayam Taluk, Theni District and to restore the original cart track as well as water channel within the time stipulated by this Court.

For Petitioner : Mr.P.Mahendran

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1 to R6.
Mr.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R7.

ORDER

(Order of the Court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner herein filed W.P.(MD)No.10315 of 2021 for removing the encroachment in Survey No.388 in Hanumanthanpatti. The writ petition was disposed of by this Court on 21.06.2021 calling upon the Tahsildar, Uthamapalayam to take action on the petitioner's representation. Pursuant to the said direction, the Tahsildar, Uthamapalayam vide Memorandum dated 19.07.2021 informed the



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petitioner herein that there is proposal to reclassify the cart track and issue patta in favour of the occupants.

3.It is well settled that a road has to be maintained as a road and cannot be reclassified and patta issued. Therefore, the impugned order stands set aside. The authority has to necessarily take appropriate action to remove the encroachment in question. This exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

4.This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (R.P. J.)
24.03.2026

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