



W.P.(MD)No.15572 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.06.2026

CORAM

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

W.P.(MD)No.15572 of 2022

S.Vellammal

... Petitioner

Vs.

- 1.The District Collector,
O/o. District Collectorate,
Theni District.
- 2.The Thasildar,
Andipatti Taluk,
Theni District.
- 3.The Block Development Officer,
Mayiladumparai,
Theni District.
- 4.V.Jayaram

5.S.Balan

... Respondents

*(R5 is impleaded vide order dated 08.06.2026 in
W.M.P.(MD)No.930 of 2023 in
W.P.(MD)No.15572 of 2022 by GRSJ & RPJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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Respondents No.1 to 3 to remove the illegal encroachments made by the respondent No.4 in public pathway situated in S.No.1847/13, at Mayiladumparai Village, Andipatti Taluk, Theni District within the time frame stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

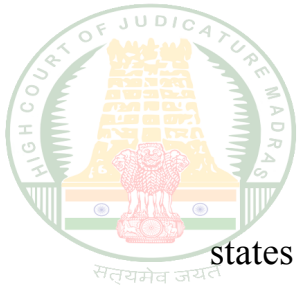
For Respondents : Mr.M.Kannan,
Govt. Advocate for R1 to R3.
Mr.S.Vikram for R4
Mr.C.M.Mari Chelliah Prabhu for R5.

ORDER

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

Heard both sides including the learned counsel for the impleading fifth respondent.

2.The petitioner's allegation that there are encroachments in the petition mentioned public pathway appears to be right. After issuing notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, final order under Section 6 of the Act was passed on 11.12.2024. Aggrieved by the same, the encroachers filed appeal before the District Collector under Section 10 of the Act. The learned Government Advocate



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states that there is a proposal to regularize the encroachments and report has been called for.

3.We express our utter shock and surprise at this conduct of the revenue authorities. Encroachment of water bodies, public parks and public pathways are inherently objectionable and they cannot be regularized. We restrain the respondents 1 and 2 from regularizing the encroachments in question. If the first respondent is satisfied that there are encroachments in a public pathway, they have to be necessarily removed by following due process of law. A final order has to be passed by the first respondent within a period of six weeks from the date of receipt of a copy of this order.

4.This writ petition is disposed of accordingly. No costs.

(G.R.S. J.) & (R.P. J.)
08.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.

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08.06.2026
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