



W.P.(MD) No.14093 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.05.2026

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P.(MD) No.14093 of 2026
and
W.M.P.(MD) Nos.10502 & 10503 of 2026**

Vadivukarasi

... Petitioner

-VS-

- 1.The Government of Tamilnadu
rep.through its Principal Secretary
Highways Department, Secretariat
Chennai-600 009
- 2.The Commissioner
Land Administration Department
2nd Floor, Ezhilagam
Chepauk, Chennai
- 3.The District Collector /
Monitoring Committee
Pudukkottai, Pudukkottai District
- 4.The Divisional Engineer
Highways, Construction and
Maintenance Office
Pudukkottai
Pudukkottai District



W.P.(MD) No.14093 of 2026

WEB COPY

- 5.The Assistant Divisional Engineer
Highways, Construction and
Maintenance Office
Pudukkottai, Pudukkottai District
- 6.The District Revenue Officer
Pudukkottai, Pudukkottai District
- 7.The Assistant Director of
Survey and Land Record
District Collectorate Complex
Pudukkottai District
- 8.The Tahsildar
Office of Tahsildar
Pudukkottai, Pudukkottai District
- 9.The Commissioner
Pudukkottai Municipality
Pudukkottai, Pudukkottai District
- 10.The Town Survey Inspector
Pudukkottai, Pudukkottai District
- 11.Venkatesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records of the fourth's respondent's impugned notice memo No.103/2025/Eva.A/ dated 29.04.2026 and quash the same as devoid of merits, consequentially directing the first respondent to suspend the same under Section 55(3) of Tamil Nadu Highways Act, 2001 till the disposal of the revision petition dated 25.04.2026 filed under Section 55 of the Tamil Nadu Highways Act, 2001, before the first respondent.



WEB COPY

W.P.(MD) No.14093 of 2026

For Petitioner : Mr.M.Mohamed Sherbudeen
For Respondents : Mr.D.Gandhi Raj
Special Government Pleader for R1 to R8

ORDER

[Order of the Court was made by P.VELMURUGAN, J.]

Mr.D.Gandhi Raj, learned Special Government Pleader, takes notice for the respondents 1 to 8.

2. In view of the relief sought for in this writ petition and in view of the direction proposed to be issued, notice to the respondents 9 to 11 is dispensed with.

3. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

4. This writ petition is filed challenging the notice dated 29.04.2026, issued by the fourth respondent, intimating that the encroachment made by the petitioner in the subject land would be removed by 30.04.2026 and also seeking a consequential direction to the first respondent



W.P.(MD) No.14093 of 2026

WEB COPY

to suspend the action of removal of encroachment till the disposal of the revision petition dated 25.04.2026 filed by the petitioner under Section 55 of the Tamil Nadu Highways Act, 2001.

5. According to the petitioner, the subject land is a patta land and she has been in continuous possession and enjoyment of the same. However, the respondents, without any authority of law, are attempting to remove the petitioner from the subject land. Hence, this writ petition.

6. Heard the learned counsel for the petitioner and learned Special Government Pleader appearing for the respondents 1 to 8 and carefully perused the materials on record.

7. At the outset, it is to be noted that though the petitioner claims that the subject land is a patta land and she has been in continuous possession and enjoyment of the same without any interruption, with regard to the issue involved in the case on hand, already the petitioner has filed a civil suit in O.S.No.84 of 2024, before the District Munsif Court, Pudukkottai, seeking permanent injunction against the eleventh respondent herein and the same is still pending disposal.



W.P.(MD) No.14093 of 2026

WEB COPY

8. Since the dispute involved in this writ petition is with regard to the title over the subject property, no writ petition is maintainable. Therefore, the petitioner has to workout her remedy in the manner known to law in the pending civil suit. Further, is also open to the petitioner to implead the official respondents herein as party respondents in the said suit.

9. With the above observation and direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[P.V., J.] [C.K., J.]

06.05.2026

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

krk

To:

1. The Principal Secretary,
Highways Department,
Government of Tamilnadu,
Secretariat,
Chennai-600 009.



W.P.(MD) No.14093 of 2026

WEB COPY

- 2.The Commissioner,
Land Administration Department,
2nd Floor, Ezhilagam,
Chepauk, Chennai.
- 3.The District Collector /
Monitoring Committee,
Pudukkottai,
Pudukkottai District.
- 4.The Divisional Engineer,
Highways, Construction and
Maintenance Office,
Pudukkottai,
Pudukkottai District.
- 5.The Assistant Divisional Engineer,
Highways, Construction and
Maintenance Office,
Pudukkottai, Pudukkottai District.
- 6.The District Revenue Officer,
Pudukkottai, Pudukkottai District.
- 7.The Assistant Director of
Survey and Land Record,
District Collectorate Complex,
Pudukkottai District.
- 8.The Tahsildar,
Office of Tahsildar,
Pudukkottai, Pudukkottai District.



WEB COPY



W.P.(MD) No.14093 of 2026

P.VELMURUGAN, J.
AND
C.KUMARAPPAN, J.

krk

W.P.(MD) No.14093 of 2026
and
W.M.P.(MD) Nos.10502 & 10503 of
2026

06.05.2026