



W.P(MD)No.15196 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.06.2026

WEB COPY

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THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P(MD)No.15196 of 2026

V.Muthiyan

... Petitioner

Vs.

1. The District Collector,
Madurai District Collectorate Office,
Madurai 625 020.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti, Madurai District.

3. The Tahsildar,
Usilampatti Taluk Office,
Usilampatti Taluk,
Madurai 625 020.

4. V.Ponthan

5. V.Ayyavu

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to remove the encroachment made in methodological pathway/cart track to an extent of 8 feet in Survey No.106/10, 106/9A1, 106/4, 106/3A, 106/1A1, 106/1A2, 106/2A obstructing the methodological pathway/cart track by the respondents 4th and 5th respondents at



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Arasamarathupatti, Eruvarpatti Village, Usilampatti Taluk, Madurai District, by considering the petitioner's representation dated 11.02.2026 by removing the encroachment made by the 4th and 5th respondents within a time stipulated by this court.

For Petitioner : Mr.S.Rajesh Kanna
For R1 to R3 : Mr.C.Jeganathan
Counsel for State

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The petitioner has sought for a Mandamus, directing the respondents 1 to 3 herein to remove the encroachment made in methodological pathway/cart track to an extent of 8 feet in Survey No.106/10, 106/9A1, 106/4, 106/3A, 106/1A1, 106/1A2, 106/2A obstructing the methodological pathway/cart track by the respondents 4th and 5th respondents at Arasamarathupatti, Eruvarpatti Village, Usilampatti Taluk, Madurai District, by considering the petitioner's representation dated 11.02.2026 by removing the encroachment made by the 4th and 5th respondents within a time frame.

2. Perusal of record shows that even as per the 'A' Register filed by the petitioner in the typedset of papers, Survey No.105 alone is classified as cart track and the sub divisions of Survey No.106 are classified as private property



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of the individuals. Therefore, the remedy of the petitioner lies only before the Civil Court. Sitting under Article 226 of the Constitution, this Court cannot decide the property rights of the individuals. The petitioner has to approach the competent civil court to establish his case by filing a proper civil suit.

3. Hence, this Writ Petition is dismissed. No costs.

[N.S.K., J.] & [M.J.R., J.]
08.06.2026

Index : Yes / No
Neutral Citation : Yes / No
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AND
M.JOTHIRAMAN, J.

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ORDER MADE IN
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