



W.P(MD)No.16114 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.06.2026

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

W.P(MD)No.16114 of 2026
and
WMP(MD)Nos.12024, 12026 and 12027 of 2026

K.Muthuvellai

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Sivagangai and District.

2. The Revenue Divisional Officer,
Devakkottai Revenue Division Office,
Deavakkottai Taluk,
Sivagangai and District.

3. The Revenue Inspector,
Revenue Inspector Office,
K.Pudur, Sivagangai District.

4. Ganesan

5. Valliammai

6. Ramalingam

7. Muthu

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for records



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pertaining to impugned order dated 19.06.2025 in Mu.Mu.A2/4177/2025 issued by the 2nd respondent is illegal and quash the same.

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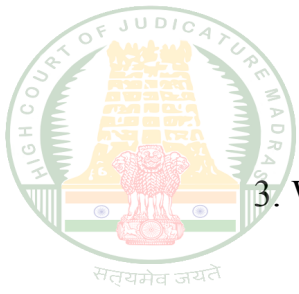
For Petitioner : Mr.A.Arul Jenifer for Mr.K.G.Arunkumar
For R1 to R3 : Mr.S.Venkatesh
Counsel for State

ORDER

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

The writ petition has been filed challenging the order of the 2nd respondent / RDO dated 19.06.2025.

2. The petitioner originally filed W.P.No.25239 of 2023 to consider the representation and to cancel the patta issued in favour of the private respondents. Pursuant to the order passed in the said writ petition, the petitioner's representation was considered and patta granted to the private respondents was cancelled by order dated 03.09.2024. Thereafter, the petitioner filed another writ petition in W.P(MD)No. 28989 of 2024 by impleading the encroachers, to remove the encroachment. Pursuant to the disposal of the said writ petition by order dated 04.12.2024, the present impugned order came to be passed on the ground that since the private respondents have filed appeal against the cancellation of patta before the District Revenue Officer, the encroachment cannot be removed. That apart, the petitioner has also alternate pathway. Hence, this writ petition.



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3. We have perused the impugned order.

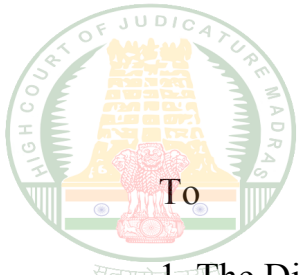
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4. Admittedly, the petitioner seeks removal of the alleged encroachment by the private respondents on the ground that patta has been cancelled. It is relevant to note that as against the cancellation of patta, the statutory appeal is already pending. Therefore, we are of the view that without finality is reached, the petitioner as a matter of right cannot seek to direct the authorities to remove the encroachment. Originally, the patta stood in the father's name of the private respondents and only on the strength of the patta, the private respondents have put up construction in the subject place. That being the position, without the rights have been conclusively determined in the appeal pending before the DRO, at this stage, the petitioner's prayer to remove the encroachment cannot be entertained. Hence, we do not find any infirmity in the impugned order.

5. Accordingly, the Writ Petition stands dismissed. No costs.
Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
12.06.2026

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

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ORDER MADE IN
W.P(MD)No.16114 of 2026
DATED : 12.06.2026