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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28-10-2026

CORAM

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MRS.JUSTICE M.D.SUMATHI

WP(MD) No. 19006 of 2026

CNR:{HCMD010893912026}

M.Malayandi,
S/o.Malaisamy,
No.1/513, Soorakkundu,
Melur, Madurai District.

..Petitioner(s)

Vs

1. The District Collector/Monitoring Committee,
   District Collectorate Office,
   Madurai.

2. The Revenue Divisional Officer,
   Revenue Divisional Office,
   Narasingampatti,
   Melur, Madurai.

3. The Tahsildar,
   Melur, Madurai.

4. The Block Development Officer,
   Block Development Office,
   Melur, Madurai.

5. The Surveyor,
   Taluk Office,

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Melur, Madurai.

6. The Village Administrative Officer,
   Village Administrative Office,
   Melur, Madurai.

7. Ramesh,
   S/o.Alagu,
   Soorakkundu, Melur, Madurai District.

..Respondent(s)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment made in the Public Pathway situate in S.No.327/3, 327/4B and 327/4A2 Soorakkundu, Melur, Madurai District, based on the petitioner's representation dated 27.02.2026.

For Petitioner(s): Mr.S.Deenadhayalan

For Respondent(s): Mr.S.Shanmugam,
Government Advocate
for R-1 to R-6.

Mr.S.A.Ajmal Khan
for R-7.

ORDER

(Order of the Court was made by G.R. SWAMINATHAN J.)

Heard both sides.

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2. The petitioner is a resident of Soorakkundu Village. He alleges that the petition mentioned lands have been classified as pathway and that the seventh respondent has committed encroachment.

3. When the matter was taken up for hearing, the learned counsel appearing for the seventh respondent points out that survey No.327/3 was the subject matter of more than one civil proceeding. The proceedings were instituted by the writ petitioner as well as by his grandfather. They were dismissed.

4. The seventh respondent has filed a typed set of papers enclosing the copy of the judgment and decree dated 12.11.2019 made in S.A.(MD)No.1189 of 2005. No reference has been made to the said civil proceedings in the affidavit filed in support of the present writ petition. Therefore, no relief can be granted in respect of survey No.327/3.

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5. According to the seventh respondent, survey Nos.327/4B and 327/4A2 have been reclassified as public pathway without notice.

6. Earlier, it was classified as natham poramboke. Be that as it may, the seventh respondent has filed petition in respect of survey No.327/4A before the District Revenue Officer, Madurai.

7. The learned counsel for the seventh respondent states that another application before the District Revenue Officer will be filed in respect of survey No.327/4B within a period of two weeks from the date of receipt of a copy of this order.

8. We direct the District Revenue Officer, Madurai to dispose of the seventh respondent's revision petitions on merits and in accordance with law within a period of three months. If the District

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Revenue Officer, Madurai upholds the claim of the seventh respondent, then obviously, the revenue authorities cannot take any further action on the petitioner's complaint. If on the other hand, the District Revenue Officer rejects the seventh respondent's application, then it is the duty of the third respondent to conduct proper survey and remove the encroachments found in survey No.327/4B and 327/4A2. We make it clear that we have not gone into the merits of the matter. All the contentions of the seventh respondent are left open. This writ petition stands disposed of accordingly. No costs.

(G.R.S.,J.) **(M.D.S.,J.)**

28-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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