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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.06.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.28497 of 2025

M.G.Sathish Babu

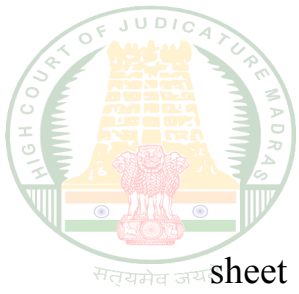
... Petitioner

Vs.

1. The District Collector,
Madurai District at Madurai.
2. The Tahsildar,
Madurai East Taluk,
Madurai District.
3. The Block Development Officer,
Madurai East Panchayat Union,
Madurai District.
4. The Inspector of Police,
Karuppayurani Police Station,
Madurai District.
5. Pandi

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to take immediate and effective action to remove the encroachment (tin-



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sheet shed and allied obstructions) put up by the 5th respondent on the 20 feet paver- block public road starting from Thirumohur Kaalikappan Main Road leading to the petitioner's property situated at Survey Nos. 72/4A and 72/5 and to restore the road to its original width and condition within such time as this Court stipulated.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.B.Saravanan, Senior Counsel
for Mr.M.P.Senthil,
Counsel for State for R1 to R3
Mr.I.Murugesan,
Govt. Advocate for R4

ORDER

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

The petitioner has filed this writ petition seeking a direction to respondents 1 to 4 to take immediate and effective action to remove the encroachment (tin-sheet shed and allied obstructions) put up by the 5th respondent on the 20 feet paver- block public road starting from Thirumohur Kaalikappan Main Road leading to the petitioner's property situated at Survey Nos. 72/4A and 72/5 and to restore the road to its original width and condition within such time as this Court stipulated.



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2. It is the case of the petitioner that he is in absolute possession and enjoyment of the subject property and there exists a 20 feet paver-block public road starting from Thirumohur-Kaalikappan Main road, leading to the petitioner's property. The third respondent also affirmed the existence of the said 20 feet public road as a common approach road to the lands in the area. However, the 5th respondent has erected a tin-sheet shed and thereby preventing free movement of vehicles. In this regard, the petitioner has also sent representations dated 25.08.2025 and 29.09.2025 to the respondents to remove the encroachment and restore the public road. However, the same were not considered by the respondents till date. Hence, the petitioner has filed this present writ petition.

3. The learned Senior Counsel appearing for the State would submit that the authorities concerned would conduct a survey of the land in question in the presence of all the parties concerned. He further submitted that appropriate action would be taken to remove the encroachment, if any.



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4. In such view of the matter, the second respondent is directed to conduct a survey in the place in question, after issuing notice to the petitioner, 5th respondent and all other parties concerned within a period of two weeks from the date of receipt of a copy of this order. If the survey reveals any encroachment, the 2nd respondent shall take necessary action for the removal of such encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of three months thereafter.

5. With the above direction, this writ petition is disposed of.
There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
02.06.2026

Index : Yes/No
Internet : Yes

vsm



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