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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.36337 of 2025

Dhanalakshmi

... Petitioner

Vs.

1.The District Collector / Monitoring Committee,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

3.Rajasekar

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directs the respondents 1 and 2 to take appropriate steps for removal of encroachment made by the third respondent in the land property comprised in Survey No.145/8 situated at Idayavalasai Village, Ilaiyangudi Taluk, Sivagangai District classified as “*Government Poramboke Land*” based on the petitioner's representation dated 21.08.2025.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents : Mr.S.P.Maharajan (R1 & R2)
Special Government Pleader
Mr.Atham Ali (R3)



ORDER

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The petitioner seeks a direction to the respondents 1 and 2 to take appropriate steps for removal of encroachment made by the third respondent in the subject property classified as Government Poramboke land, based on the petitioner's representation dated 21.08.2025.

2.The contention of the petitioner is that the subject property is classified as Government promboke land in the revenue records. However, the third respondent has put up a construction in the said property. The representation submitted by the petitioner in this regard was not considered. Hence, the petitioner has filed the present writ petition.

3.The learned Special Government Pleader appearing for the official respondents, on instructions, submitted that that in the revenue records, the land is classified as Natham Property. The third respondent having no permanent house, is in occupation of the said land by putting up a tin shed. Further, on an application made by the third respondent,



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the Tahsildar has recommended Revenue Divisional Officer for issuance of patta to the third respondent.

4. Heard the learned counsel appearing on either side and perused the materials placed on record.

5. This Court is of the view that since the subject property does not fall under the category of Government land, it cannot be dealt with under the Land Encroachment Act or the third respondent cannot be treated as an encroacher. Further, the Tahsildar has made a recommendation before the Revenue Divisional Officer for issuance of patta to the third respondent.

6. In view of the above, we are not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
25.03.2026

Index : Yes/No
Internet : Yes
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Sivagangai District, Sivagangai.
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Sivagangai District



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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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