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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.03.2026**

CORAM:

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

W.P.(MD)No.5708 of 2026

M.Janap Sheik Adam

... Petitioner

Vs.

1. The District Collector,
O/o.The District Collector,
Thanjavur District.
2. The District Revenue Officer,
O/o.The District Revenue Officer,
Thanjavur District.
3. The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Thanjavur District.
4. The Tahsildar,
Thanjavur Taluk,
Thanjavur District.
5. S.Sona

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.4 to remove the encroachments made in S.No.397, Vallam North, Thanjavur Taluk, Thanjavur District classified as Street Pathway by the 5th respondent in light of the communication proceedings made by the 1st



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respondent in Na.Ka.No.2974211-2025 dated 03.10.2025 within time stipulated.

For Petitioner : Mr.K.Dinesh
For Respondents : Mr.D.Sasikumar (R1 to R4)
Additional Government Pleader

ORDER

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

The instant writ petition has been filed seeking a direction to the fourth respondent to remove the encroachment made by the private respondent herein in S.No.397, Vallam North, Thanjavur Taluk, Thanjavur District classified as Street Pathway.

2.The contention of the petitioner is that the fifth respondent, in the property classified as Street Pathway, has constructed a shed house completely denying the right of the petitioner and other residents of that locality to use the said pathway. Hence, the petitioner has made representation to the authorities concerned. Since the same was not considered, the petitioner has filed the present writ petition.

3.At the outset, this Court is of the considered view that if any easementary right is alleged to have been infringed, the appropriate



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remedy available to the petitioner is to approach the competent Civil Court for necessary relief. It is also brought to the notice of this Court that the petitioner's representation has since been considered and a direction has been issued to the Thasildar to conduct an enquiry on the said representation.

4. In view of the above, no further direction is called for in the present writ petition. The Revenue Authorities shall proceed with the enquiry and pass appropriate orders, in accordance with law.

5. With the above observations, the writ petition stands dismissed. No costs.

[N.S.K., J.] & [M.J.R., J.]
02.03.2026

Index : Yes/No
Internet : Yes
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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