



W.P.(MD)No.63 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.63 of 2026
&
W.M.P.(MD)No.30 of 2026

P.Murugan Pillai

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Tahsildar,
Thovalai Taluk,
Boothapandi,
Kanyakumari District.

3.The Assistant Engineer,
Boothapandi Irrigation Section,
Water Resource Organization,
Public Works Department,
Boothapandi Post,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings in Letter No.Ko 14B/237/2005 dated 09.06.2025 and



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Letter No.Ko 14B/389/2025 dated 01.09.2025 issued by the 3rd respondent and quash the same and consequently directing the 2nd respondent to grant patta to the petitioner in respect of the property in Survey No.59/5A, Esanthimangalam north revenue village of Thovalai Taluk, Thuvarankadu.

For Petitioner :Mr.M.P.Senthil

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 to R3

ORDER

Heard both sides.

2. The petitioner questions the impugned communication whereby the encroachment in S.No.59/4, Esanthimangalam North Revenue Village, Thovalai Taluk, Thuvarankadu is sought to be removed. The petitioner categorically states that he has no claim over S.No.59/4. On the other hand, he states that he had purchased the property comprised in S.No.59/5A. Copy of the assignment order issued way back in 1973 has been enclosed in the typed set of papers. Assignment was in favour of one Thanupillai. The petitioner is said to have purchased from the legal heirs of Thanupillai in the year 2010.

3. We make it clear that action for removal of encroachment will be strictly confined to S.No.59/4 and that the petitioner's possession in S.No.59/5A



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will not be in any way affected. It would be in the fitness of things that proper survey is conducted. Otherwise, the respondents may run the risk of inviting contempt.

4. With the aforesaid direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
08.01.2026

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

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