



W.P(MD)No.3046 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2026

CORAM:

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

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M.Pandiselvi

... Petitioner

VS.

1.The State Represented by,
The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai East,
Madurai District.

3.The Block Development Officer,
Madurai North,
Madurai District.

4.Raja

5.Satheeshkumar

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take necessary action to remove the encroachment made in Survey No.113/34 of Sakkudi Village, Madurai North Taluk, Madurai District made by the 4th and 5th respondent.

For Petitioner : Mr.R.Balamuruganantham

For R-1 to R-4 : Mr.S.P.Maharajan
Special Government Pleader

For R-4 & R-5 : Mr.K.Saravanan

ORDER

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

The petitioner has filed the present Writ Petition seeking a direction to the respondents 1 to 3 to take necessary action to remove the alleged encroachment made by the respondents 4 and 5 in Survey No.113/34 of Sakkudi Village, Madurai North Taluk, Madurai District.

2.It is the grievance of the petitioner that the respondents 4 and 5 have encroached upon the property in Survey No.113/34 of Sakkudi Village.



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According to the petitioner, they have encroached upon the pathway on the southern side and erected a pillar after removing the paver blocks laid by the Government. It is further stated that, on the eastern side, they have occupied the pathway and constructed a septic tank by damaging the paver blocks. Due to such encroachments, the local residents are facing hardship in accessing their homes. In this regard, the petitioner submitted a representation dated 16.06.2025 to the concerned authorities. Since no action has been taken thus far, the present Writ Petition has been filed.

3.The learned Special Government Pleader appearing for the respondents, on instructions, submitted that Survey No.113/34 is classified as “Ryotwari Punjai”, which is a private land and not a Government land.

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



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5.On perusal of the ‘A’ Register filed in support of the Writ Petition, it is seen that Survey No.113/34 is classified as “Ryotwari Punjai”, thereby establishing that the property is a private land.

6.In such circumstances, the question of directing the official respondents to remove the alleged encroachment does not arise. If the grievance of the petitioner is with regard to access to the pathway or any easementary right, it is always open to the petitioner to work out his remedy before the competent civil Court in the manner known to law.

7.Accordingly, this Writ Petition is dismissed. No costs.

[N.S.K.,J.] [M.J.R.,J.]
01.04.2026

NCC : Yes / No
Index : Yes / No
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N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

ps

ORDER MADE IN
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