



W.P.(MD)No.1780 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2026

CORAM:

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

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K.Mani

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its the District Collector,
Madurai District.
2. The Revenue Divisional Officer,
Melur Taluk, Madurai District.
3. The Tahsildar,
Melur Taluk, Madurai District.
4. The Block Development Officer,
Melur Panchayat Union,
Melur Taluk, Madurai District.
5. K.Selvam
6. S.Mookkayee

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent herein to remove the encroachment comprising in 73/1 Survey No.344/23



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55 Nir S.Kallampatti, Melur Taluk, Madurai District and rescue the same and to allot the rescued land to the landless poverty people or any other public purpose and further directing the 4th respondent herein to take legal action against the respondents 5 and 6 herein for unauthorized construction within a time stipulated by this Court.

For Petitioner : Mr.K.Mani (Pary-in-Person)

For Respondents : Mr.D.Sasikumar,
Addl. Govt. Pleader for R1 to R4
Mr.S.Malaikani for R5 & R6

ORDER

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

This Writ Petition has been filed seeking a direction to the 3rd respondent herein to remove the encroachment comprising in 73/1 Survey No.344/23 55 Nir S.Kallampatti, Melur Taluk, Madurai District and rescue the same and to allot the rescued land to the landless poverty people or any other public purpose and further directing the 4th respondent herein to take legal action against the respondents 5 and 6 herein for unauthorized construction within a time stipulated by this Court.



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2. The petitioner has filed this Writ Petition as a Public Interest Litigation in his capacity as an advocate. According to him, respondents 5 and 6 and their family members have encroached upon Government lands. The subject property has been classified as Grama Natham in the Adangal. The petitioner further submits that the respondents 5 and 6 have occupied the land beyond the extent mentioned in the patta. Aggrieved by the same, the petitioner has filed the present Writ Petition.

3. The learned Additional Government Pleader appearing for respondents 1 to 4 submitted that respondents 5 and 6 are in possession of the Grama Natham. He further submitted that a Full Bench of this Court, in *Nallasivam vs. The District Collector, by order dated 06.03.2026*, while answering a reference, has held that occupied Grama Natham lands do not vest with the Government. Consequently, the provisions of the Land Encroachment Act, 1905, cannot be invoked in respect of such occupied Grama Natham lands.

4. In view of the above, as the land in question is a Grama Natham and is in the possession and occupation of respondents 5 and 6, this Court does not find any merit in the Writ Petition.



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5. Accordingly, this Writ Petition is dismissed. There shall be

no order as to costs.

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vsm

Index :Yes/No

NCC :Yes/No

[N.S.K., J.] & [M.J.R., J.]
11.03.2026



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