

W.P.(MD)No.1611 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.03.2026**

CORAM:

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

W.P.(MD)No.1611 of 2026

K.Palanikumar

...Petitioner

Vs.

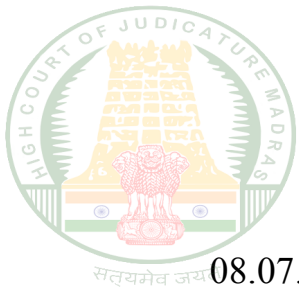
1. The Commissioner,
Madurai Municipal Corporation,
Arignar Anna Maligai,
Madurai.

2. The Assistant Commissioner,
Zone-3 (Central),
Madurai Municipal Corporation,
Madurai.

3. Azhagar

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the encroachment made by the 3rd respondent in Ward No.70, Zone-3 (Central), Velmurugan Nagar, Thamirabarani Street, a 23-feet wide public road was duly approved by the Madurai Municipal Corporation vide Planning Approval No. M.R/D.T.C.P. No.781/92 dated



W.P.(MD)No.1611 of 2026

08.07.1992 and restore the same for public use by consider and dispose of the petitioner's representation dated 17.12.2025, within a time frame fixed by this Court.

For Petitioner : Mr.R.Suriya Narayanan

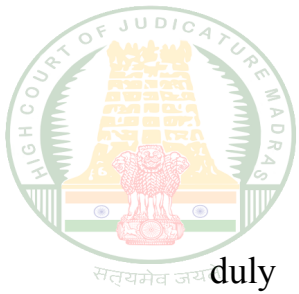
For Respondents : Mr.K.Sivabalan for R1 & R2
Mr.C.Mayilvahana Rajendran for R3

ORDER

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

This Writ Petition is filed seeking a direction to the respondents 1 and 2 to remove the encroachment made by the 3rd respondent in Ward No.70, Zone-3 (Central), Velmurugan Nagar, Thamirabarani Street, a 23-feet wide public road, which was duly approved by the Madurai Municipal Corporation vide Planning Approval No. M.R/D.T.C.P. No.781/92 dated 08.07.1992 and restore the same for public use by consider and dispose of the petitioner's representation dated 17.12.2025, within a time frame fixed by this Court.

2. It is the grievance of the petitioner that the third respondent has illegally encroached upon a 23-foot-wide public road, which was



W.P.(MD)No.1611 of 2026

WEB COPY

duly approved by the Madurai Municipal Corporation, and has constructed a portion of his residential building along his plot, thereby obstructing the public pathway. In this regard, the petitioner also submitted a representation on 17.12.2025 to the official respondents seeking removal of the said encroachment. However, the authorities have failed to take any action. Hence, the petitioner has filed this Writ Petition.

3. Whereas, the learned counsel appearing for the third respondent submitted that the third respondent has not encroached upon any land and in the event any encroachment is found, he shall remove the same himself.

4. The learned counsel appearing for the first respondent Corporation submitted that the original survey was conducted without issuing notice to the third respondent. Therefore, the Corporation will now conduct a survey in the presence of both the petitioner and the third respondent, after issuing due notice to them. If any encroachment is found during the survey, the Corporation will take necessary action in accordance with law to remove the same.



W.P.(MD)No.1611 of 2026

WEB COPY

5. In view of the above, this Court directs the first respondent to conduct a survey of the subject property, after issuing notice to both the petitioner and the third respondent, and, in the event any encroachment is found, to remove the same in accordance with law.

6. With the above direction, this Writ Petition is disposed of.
There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
06.03.2026

Index :Yes/No
Internet :Yes
vsm



W.P.(MD)No.1611 of 2026

WEB COPY
To

1. The Commissioner,
Madurai Municipal Corporation,
Arignar Anna Maligai,
Madurai.
2. The Assistant Commissioner,
Zone-3 (Central),
Madurai Municipal Corporation,
Madurai.



WEB COPY



W.P.(MD)No.1611 of 2026

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

vsm

W.P.(MD)No.1611 of 2026

06.03.2026