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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**

W.P.(MD)No.6638 of 2026

and

W.M.P.(MD)Nos.5481 and 5483 of 2026

Thangam

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Dindigul,
Dindigul District.

3.The Tahsildar,
Palani Taluk,
Dindigul District.

4.The Executive Officer,
Neikkarapatti Town Panchayat,
Palani Taluk,
Dindigul District.

5.Thirumalaisamy

...Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the 4th respondent vide his proceedings Na.Ka.No.86/2025/A1 dated 20.02.2026 and his consequential order passed in Na.Ka.No.86/2025/A1 dated 26.02.2026 and quash the same as illegal.

For Petitioner : Mr.T.Leninkumar
For Respondents : Mr.J.Ashok (R1 to R3)
Additional Government Pleader
Mr.D.Sasikumar (R4)
Additional Government Pleader

ORDER

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

The petitioner challenging the order passed by the fourth respondent dated 20.02.2026 directing the petitioner to remove the encroachment put up in the public road.

2.Mr.J.Ashok, learned Additional Government Pleader, accepts notice for the respondents 1 to 3 and Mr.D.Sasikumar, learned Additional Government Pleader, accepts notice for the fourth respondent. In view of the order proposed to be passed in this writ petition, notice to the fifth respondent is dispensed with.



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3.By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.

4.It is the contention of the petitioner that the petitioner is the Secretary of the Kaliamman Kovil Trust. The said trust has put up a construction in the subject property several decades ago for the purpose of storing pooja articles of the Temple. Though the revenue records shows that the subject property is the Natham Poromboke pathway, because of the building constructed by the Trust in the said property, no one is affected and there is no hindrance to any public. However, the authorities have issued a eviction notice. Aggrieved by the same, the petitioner has filed the present writ petition.

5.The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submits that earlier the fifth respondent herein has filed W.P.(MD)No.22820 of 2025 to remove the said encroachment made by the petitioner in the public pathway. Pursuant to the direction issued by this Court in that writ petition, action has been initiated by the respondents to remove the encroachment in the subject property.



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6. Heard the learned counsel appearing on either side and perused the materials placed on record.

7. Admittedly, the land, in which the building in question has been put up, is nothing but a public street. FMB sketch produced by the official respondents also clearly shows that the subject land is a public pathway, in which the petitioner has made an encroachment. Further, the impugned order has been issued only in pursuant to the direction of this Court in W.P.(MD)No.22820 of 2025.

8. It is also to be noted that merely because the petitioner has put up the building several decades ago and residing there for a long period, it cannot be stated that he has acquired title in the Government land. Hence, we do not find any merits in this writ petition. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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

Internet : Yes
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To

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Dindigul.
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Dindigul District.
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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