



W.P(MD)No.15196 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.06.2026

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

W.P(MD)No.15196 of 2026

V.Muthiyan

... Petitioner

Vs.

1. The District Collector,  
Madurai District Collectorate Office,  
Madurai 625 020.

2. The Revenue Divisional Officer,  
Revenue Divisional Office,  
Usilampatti, Madurai District.

3. The Tahsildar,  
Usilampatti Taluk Office,  
Usilampatti Taluk,  
Madurai 625 020.

4. V.Ponthan

5. V.Ayyavu

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to remove the encroachment made in methodological pathway/cart track to an extent of 8 feet in Survey No.106/10, 106/9A1, 106/4, 106/3A, 106/1A1, 106/1A2, 106/2A obstructing the methodological pathway/cart track by the respondents 4<sup>th</sup> and 5<sup>th</sup> respondents at



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Arasamarathupatti, Eruvarpatti Village, Usilampatti Taluk, Madurai District, by considering the petitioner's representation dated 11.02.2026 by removing the encroachment made by the 4<sup>th</sup> and 5<sup>th</sup> respondents within a time stipulated by this court.

For Petitioner : Mr.S.Rajesh Kanna  
For R1 to R3 : Mr.C.Jeganathan  
Counsel for State

### **ORDER**

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

The petitioner has sought for a Mandamus, directing the respondents 1 to 3 herein to remove the encroachment made in methodological pathway/cart track to an extent of 8 feet in Survey No.106/10, 106/9A1, 106/4, 106/3A, 106/1A1, 106/1A2, 106/2A obstructing the methodological pathway/cart track by the respondents 4<sup>th</sup> and 5<sup>th</sup> respondents at Arasamarathupatti, Eruvarpatti Village, Usilampatti Taluk, Madurai District, by considering the petitioner's representation dated 11.02.2026 by removing the encroachment made by the 4<sup>th</sup> and 5<sup>th</sup> respondents within a time frame.

2. Perusal of record shows that even as per the 'A' Register filed by the petitioner in the typedset of papers, Survey No.105 alone is classified as cart track and the sub divisions of Survey No.106 are classified as private property



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of the individuals. Therefore, the remedy of the petitioner lies only before the

Civil Court. Sitting under Article 226 of the Constitution, this Court cannot

decide the property rights of the individuals. The petitioner has to approach the

competent civil court to establish his case by filing a proper civil suit.

3. Hence, this Writ Petition is dismissed. No costs.

**[N.S.K., J.] & [M.J.R., J.]**  
**08.06.2026**

Index : Yes / No

Neutral Citation : Yes / No

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

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**ORDER MADE IN**  
**W.P(MD)No.15196 of 2026**  
**DATED : 08.06.2026**