



WEB COPY

W.P.No.11286 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.11286 of 2026

A.Palanisamy
S/o.P.Alagaiyya (Late)

... Petitioner

vs.

1. The District Collector
Erode District Collectorate
Erode – 638 011.
2. The Commissioner
Erode City Municipal Corporation
Erode – 638 011.
3. The Assistant Commissioner
Zone-II, Periyasemur
Erode City Municipal Corporation
Erode.
4. The Tahsildar
Erode Taluk
Erode District.
5. B.Jothi
W/o.Balusamy

... Respondents

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WEB COPY Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 2nd and 3rd respondents to remove the encroachment put forth by the 5th respondent on the public road and tree belonged to the Erode City Municipal Corporation at Thendral Nagar, 9th Street, Periyasemur, Villarasampatti Post, Erode District – 638 107, based on the petitioner's representation dated 03.02.2026.

For Petitioner : Mr.A.Suresh Sakthi Murugan

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 and R4
Mr.M.Raja Mathivanan
Standing Counsel, for R2 and R3

ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The writ on hand has been instituted to direct the 2nd and 3rd respondents to remove the encroachment put forth by the 5th respondent on the public road and tree belonged to the Erode City Municipal Corporation at Thendral Nagar, 9th Street, Periyasemur, Villarasampatti Post, Erode District – 638 107, based on the petitioner's representation dated 03.02.2026.

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2. Mr.A.Suresh Sakthi Murugan, learned counsel for the petitioner

WEB COPY would submit that the road portion has been encroached upon by the fifth respondent by installing a religious statue. The modus operandi of such encroachers normally begins with the installation of idols of God in public places, roads and thereafter, they slowly start constructing buildings. At that stage, it would be very difficult for the authorities to remove the encroachments. All such encroachments must be removed at the initial stage and no person should be permitted to install religious statues or idols on public roads so as to ensure the free flow of traffic and for the benefits of road users.

3. Since the photographs filed by the petitioner would show that some religious idols have been installed beneath a tree, the respondents 2 and 3 are directed to conduct a field inspection and survey to identify encroachments. If any encroachments are found, the respondents 2 and 3 shall issue notice by following the procedures as contemplated under relevant Statutes and Rules in force. It is needless to state that opportunity shall be provided to the fifth respondent or to any other encroachers, as the case may be. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

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4. With the above observations, the Writ Petition stands disposed of.

There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
24.03.2026

Index : Yes
Neutral Citation : Yes
Speaking order

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To

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Erode – 638 011.
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WEB COPY



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**S. M. SUBRAMANIAM, J.,
and
K. SURENDER, J.,**

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