



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 47190 of 2025

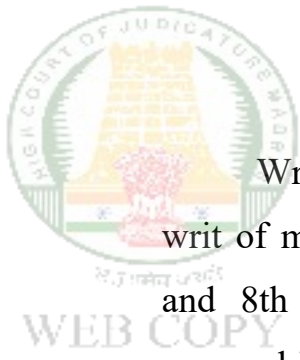
P.Kannadhasan

..Petitioner(s)

Vs

1. The District Collector
Tiruvaruru District, Tiruvarur
2. The Revenue Divisional Officer
Tiruvarur Division, O/o Revenue Divisional
Office, Tiruvarur District
3. The Executive Engineer
Public Works Department, Tiruvarur District
4. The Block Development Officer
Nanilam Taluk, Tiruvarur District
5. The Thasildhar
Nanilam Taluk Tiruvarur District
6. The Village President
Kollumangudi Panchayat,
Keelakaduvankudi, Nanilam Taluk,
Tiruvarur District
7. Mohammed Rafeek
8. Salma Begam

..Respondent(s)



Writ Petition filed under Article 226 of the Constitution of India issuing writ of mandamus, directing the respondents 1 to 6 to take action against 7th and 8th respondents, remove the illegal construction done by them, by encroaching the public thar road comprised in survey no 381/1A6 at Kollumangudi village nanilam Taluk, tiruvarur distrct, forthwith petitioners representation cum complaint dated on 26.10.2025 by ensuring the public access, safety.

For Petitioner(s): Mr.M. Govindarajan

For Respondent(s): Mr.T.Arunkumar
Additional Government Pleader for 1-3, 5&6
Mr.M.S.Premkumar
Government Advocate for R4
Mr.R.Baskar for R7&8

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Writ Petition has been instituted to direct the respondents 1 to 6 to take action against 7th and 8th respondents, remove the illegal construction done by them, by encroaching the public thar road comprised in survey no 381/1A6 at Kollumangudi Village, Nanilam Taluk, Tiruvarur District, forthwith petitioners representation cum complaint dated on 26.10.2025 by ensuring the public access, safety.

2. Tahsildar, Nannilam filed counter affidavit setting out the boundaries of the subject lands and portion of the public road encroached upon by the 7th and 8th respondents.



3. The relevant portion of the counter affidavit is extracted hereunder,

“Four boundaries of the subject lands

RS.Nos.	As per Document				As per state on ground			
	North	East	South	West	North	East	South	West
381/1A5	381/1A4 Hithathullah	381/1A6 Theru (subject land)	382 Abdul Jabar manai	382 Ansari Thottam (Kollai)	381/ 1A4	381/1A6 (subject road)	382	382
381/1A10B	381/1A9, Oli Mohamed Manai	381/1G Abdul Majeed house	382 Theru and Arivu mani House	381/1A5 Kannadasan Manai	381/ 1A9	381/1G	382	381/1A6 (subject road)

I further submit that before 7th and 8th respondents purchased the land, the old land owner had been encroached the road with asbestos sheet and used it as vehicle shed, thereafter the 7th respondent also continued the subject place in the same manner.

It is further submitted that in this situation, the 7th and 8th respondents has been constructing a new house in S.No.381/1A10 and also in the subject land of S.No.381/1A6. Thus, construction is going on beyond his patta land. The 7th and 8th respondents had been purchased only 0.01.75 hectares of land, but they constructing a house with fortico for 0.02.32 hectares of land. In this juncture totally 17.0 meters of



length is in the front portion of the petitioner's land. (S.No.381/1A5) Consequence of this construction, 11 meters length of the said physical road is blocked in front of the empty land of the petitioner. Only 5.0 meters length are left to enter into the petitioner's land. In view of that 57.2 square meters (11X5.2 meters) of the physical road having RS.No. 381/1A6 is encroached and is being constructing a portion (Fortico) of the house by the 7th 8th respondents in the encroached area.

In the above documents and circumstances revealed that the physical road bearing RS.No. 381/1A6 57.2 square meters (11X5.2 meters) is being used by the general public as a road is encroached by the 7th 8th respondents in the way of constructing 'Fortico' for their house."

4. In view of the factum recorded, since encroachments on public road are identified by the revenue authorities, respondents 1 to 5 are directed to remove the encroachments by following the procedure as contemplated under the statutes and Rules within a period of 12 weeks from the date of receipt of a copy of this order.



5. Accordingly, the writ petition is allowed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

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(S.M.S.,J.) (K.S.,J.)
11-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GD

To

1. The District Collector
Tiruvaruru District, Tiruvarur
2. The Revenue Divisional Officer
Tiruvarur Division, O/o Revenue Divisional
Office, Tiruvarur District
3. The Executive Engineer
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Nanilam Taluk, Tiruvarur District



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

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