



W.P.No.32899 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.32899 of 2022

T.Naveenkumar

.. Petitioner

vs

1.The District Collector,
Salem District.

2.The Tahsildar,
Peddanaickenpalayam Taluk,
Salem-636 109.

3.The Block Development Officer,
Panchayat Union,
Peddnaickenpalayam Town,
Salem-636 109.

4.The Revenue Divisional Officer,
Attur, Salem-636 109.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to remove the road encroachment located in S.No.92 and 93 (street) at about 500 meter situated at Kuttapuli Street,



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Periyakrishnapuram, Peddanaickenpalayam, Salem District by
considering the petitioner representation dated 28.08.2021.

For the Petitioner : Mr.M.Sudhakaran
for M/s.Karan and Uday

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1, 2 & 4

: Mr.D.Gopal
Government Advocate
for respondent No.3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioner for removal of encroachment made on the cart track that exists in Survey Nos.92 and 93.

2. In support of the claim made in the writ petition, learned counsel appearing for the petitioner has drawn our attention to the copy of "A" register in respect of the land covered in S.Nos.92 and



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93 situated at Kuttapuli Street, Periyakrishnapuram, Peddanaickenpalayam, Salem District. Learned counsel for the petitioner has also drawn our attention to the photographs filed along with the writ petition and submitted that there is an encroachment on the cart track.

3. From a perusal of the "A" register, we find that Survey Nos.92 and 93 have been classified as "vandi pathai" (cart track). Further, the photographs reveal that a narrow road (cart track) has been completely encroached by the encroachers.

4. At this stage, Mr.J.Ravindran, learned Additional Advocate General appearing for respondents 1, 2 and 4, submitted that the official respondents will conduct a survey of the land in question and thereafter, they will remove the encroachment in accordance with law after notice to all concerned.

5. Recording the submission made by learned Additional Advocate General, the writ petition is disposed of with a direction to



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the respondent authorities to conduct a survey of the land in question and remove the encroachment in accordance with law within a period of six weeks from the date of receipt of a copy of this order after notice to all concerned and restore the cart track to its original position. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
08.12.2022

Index : Yes/No
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To:

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WEB COPY



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T.RAJA, ACJ.
AND
D.BHARATHA CHAKRAVARTHY, J.

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