



W.P.No.31710 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31710 of 2023

Raguvaran

.. Petitioner

VS

- 1.The District Collector,
Cuddalore District-607 001.
- 2.The District Revenue Officer,
Cuddalore District-607 001.
- 3.The Revenue Divisional Officer,
Cuddalore District-607 001.
- 4.The Thasildhar (Revenue),
Kurinjpadi Taluk,
Kurinjpadi-607 302.
- 5.The Village Administrative Officer,
T.Palayam Village,
Kurinjpadi-607 301.
- 6.The Village Panchayat President,
T.Palayam Village Panchayat,
Kurinjpadi-607 301.



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7.Kuppusamy
8.Sundaravadivelu
9.Vellakannu
10.Selvakumar
11.Sekar
12.Anjalai
13.Chandrasekhar
14.Palanivel
15.Thangarasu

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 6 to remove the illegal occupation made by from the 7th respondent to 15th respondents in respect of the property situated at Cuddalore District, Kurinjipadi Taluk, T.Palayam Village in Survey No.45 to an extent of 2.75 Hectares (around 07.00 Acres) belonged to Ayyanar Temple on the basis of representation dated 19.10.2023 sent by the petitioner.

For the Petitioner : Mr.B.Ramar

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 6

ORDER

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

We have heard Mr.B.Ramar, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 6.



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2. It is submitted that a report was submitted by the Firka Revenue Inspector, Kullanchavadi and the Taluk Surveyor, Kurinjipadi on 9.11.2022 ad 24.1.2023, respectively. The Tahsildar, Kurinjipadi, addressed a letter to the Inspector of HR & CE on 4.2.2023 requesting to evict the encroachments made in the writ land. Subsequently, notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (for short, "*the Act of 1905*") was served on all the encroachers on 4.5.2023 by the Tahsildar. Since the encroachers have not vacated nor given reply to the notice under Section 7 of the Act of 1905, notice/order under Section 6 of the Act of 1905 was issued to all the encroachers on 13.6.2023. Despite service of the said notice/order dated 13.6.2023, the encroachers have failed to vacate. Hence, on 3.10.2023, a letter is addressed to the Inspector of Police, Kullanchavadi, to provide necessary police protection. Necessary arrangements were also made to evict the encroachments on 3.10.2023. However, the Inspector of Police, Kullanchavadi, requested the Tahsildar to postpone the eviction proceedings to some other date because of the administrative difficulty on 3.10.2023. On the suggestion of the Inspector of Police, Kullanchavadi, a peace meeting has been arranged on 22.12.2023 as



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the encroachers belong to different castes which may result in communal clash during the removal of encroachments. It is submitted that the peace committee meeting would be conducted on 22.12.2023 for the purpose of removing the encroachments. Appropriate action would be initiated after the peace committee meeting to be held on 22.12.2023.

3. In the light of the said report of the Tahsildar, Kurinjipadi, no further orders are necessary in the present writ petition. The writ petition is disposed of. There will be no order as to costs.

In view of the disposal of the writ petition, W.M.P.No.34678 of 2023 filed by the petitioner to implead (i) Balakrishnan, Founder and Managing Trustee and (ii) Asaibalan, Secretary and Trustee of Arulmigu Ayyanar (Enkira) Poomudi Ayyanar Thirukoil Trust as respondents 16 and 17 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

14.12.2023

Index : Yes/No
Neutral Citation : Yes/No



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To

WEB COPY

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THE HON'BLE CHIEF JUSTICE
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D.BHARATHA CHAKRAVARTHY,J.

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