



W.P.No.163 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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S.Valli

.. Petitioner

Vs

- 1 The District Collector
Tiruvannamalai District
Tiruvannamalai.
- 2 The District Revenue Officer
Tiruvannamalai.
- 3 The Revenue Divisional Officer
Tiruvannamalai.
- 4 The Assistnat Director (Panchayats)
Tiruvannamalai.
- 5 The Thasildhar
Tiruvannamalai.
- 6 The Block Developemnt Officer
Tiruvannamalai Union
Vengikkal
Tiruvannamalai.



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- 7 Ramar
- 8 R.Veerabathira
- 9 R.Arjunan
- 10 A.Illayaperumal
- 11 M.Manohara
- 12 G.Ganthi
- 13 Dhandapani
- 14 Chinnasamy
- 15 Kadirvelu
- 16 Arumugam
- 17 Sakar
- 18 Palani, S/o.Elumalai
- 19 Kasthuri
- 20 Kamachi
- 21 Ramesh
- 22 Murugan, S/o.Appavu
- 23 Raman
- 24 Murugan, S/o.Raman
- 25 Kumar,
- 26 S.Santhakumar
- 27 Seetu
- 28 Ravi, S/o.Kannan
- 29 Lakshmi
- 30 Jai Ganeshnan
- 31 Kalliammal
- 32 Moorthi
- 33 Selvan
- 34 Vinayagam
- 35 Kalaimani
- 36 Sanmugasundaram
- 37 Kamaraj
- 38 Rangasamy
- 39 Sivakumar
- 40 Suresh
- 41 Jayaraman
- 42 Samynathan, S/o.Chinnapayan
- 43 Pugalenth
- 44 Poovaragavan



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- 45 Meenatchi
46 Sivan
47 Muniyammal
48 Sentharamani
49 Raja
50 Kuppu
51 Shankar
52 Ravi , S/o.Raman
53 Maheswari
54 Kullachi
55 Amavasai
56 Selvam
57 Chandrasekar
58 Arumugam
59 Palani, S/o.Kariyan
60 Samynathan, S/o.Mannu
61 Saroja
62 Chandira
63 G.Kumar, S/o.Govindasamy
64 M.Velu, S/o.Murugesan
65 Anjalai
66 Virunthambal
67 M.Velu, S/o.Munusamy
68 K.Rajeshwari

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to remove the encroachments in Survey No.77/1 and 20/1 waterbody and S.No.28/1 and 2 lake situated at Keezhnachipattu Village, Tiruvannamalai Taluk and District.



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For the Petitioner : Mr.N.Suresh

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.1 to 5

: Mr.P.Muthukumar
State Government Pleader
for respondent No.6

ORDER

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

S.Valli, wife of Subramaniam, resident of No.79/12, Perumal Koil Street, So.Keezhnachipattu Village, Tiruvannamalai Taluk, has filed this writ petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the official respondents to remove the encroachments made in Survey Nos.77/1, 20/1, 28/1 and 28/2 situated at Keezhnachipattu Village, Tiruvannamalai Taluk.

2. In support of the prayer, learned counsel for the petitioner, drawing our attention to a copy of the "A" Register, submitted that



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the lands covered in Survey Nos.20/1, 28/1 and 28/2 have been classified as "Eri" and Survey No.77/1 has been classified as "Channel". If the encroachments made in the said Eri and Channel are not removed, the entire area will turn into a residential colony. If immediate action is not taken, during rainy season, the water cannot be stored in the Eri and the people in the locality, including farmers, will face difficulty during summer season on account of water shortage. Therefore, the petitioner has been advised to file the present writ petition.

3. At this stage, Mr.J.Ravindran, learned Additional Advocate General, and Mr.P.Muthukumar, learned State Government Pleader, taking notice on behalf of the respective official respondents, submitted that since there are 63 encroachments over the land in question, sufficient time may be granted to the official respondents to remove the encroachers, after conducting a survey.

4. Recording the submission made by learned Additional Advocate General and learned State Government Pleader, the writ



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petition is disposed of with a direction to the respondent authorities to conduct a survey of the lands in question with the assistance of the jurisdictional Surveyor and remove the encroachments found in the Eri and Channel in question, within a period of twelve weeks from the date of receipt of a copy of this order, after giving notice to the encroachers and in accordance with law. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
05.01.2023

Index : Yes/No
Neutral Citation : Yes/No
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