



W.P.No.4154 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4154 of 2024

R.P.Chandrasekar

.. Petitioner

VS

- 1.The District Collector,
Tiruppur,
Tiruppur District-641 604.
- 2.The District Revenue Officer,
Tiruppur,
Tiruppur District-641 604.
- 3.The Superintendent of Police,
Tiruppur,
Tiruppur District-641 604.
- 4.The Revenue Divisional Officer,
Dharapuram,
Tiruppur District-638 657.
- 5.The Block Development Officer,
Vellakovil,
Tiruppur District-638 111.



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6.The Thasildar,
Kangayem,
Tiruppur District-638 701.

7.The Inspector of Police,
Vellakovil Police Station,
Vellakovil,
Tiruppur District-638 111.

8.The Village Administrative Officer,
Senapathypalayam,
Vellakovil,
Kangayem Taluk,
Tiruppur District-638 111.

.. 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 (tomb) made in S.F.No.1176/2A1C bearing patta No.5492 admeasuring about 9.09 cents, Senapathipalayam Village, Kangayem Taluk, Tiruppur District by considering the petitioner's representation dated 29.9.2023.

For the Petitioner : Mr.D.Raghu

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for respondents 1, 2, 4 to 6
and 8

: Mr.R.Muniyapparaj
Addl. Public Prosecutor
assisted by
Mr.M.Sylvestor John
for respondents 3 and 7



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ORDER

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

We have heard Mr.D.Raghu, learned counsel for the petitioner; Mr.T.K.Saravanan, learned Government Advocate for respondents 1, 2, 4 to 6 and 8; and, Mr.R.Muniyapparaj, learned Additional Public Prosecutor, assisted by Mr.M.Sylvestor John, learned counsel for respondents 3 and 7.

2. Learned counsel for the petitioner submits that, on the private patta land of the petitioner, the villagers have put up encroachments.

3. If it is the private land, the provisions of the Tamil Nadu Land Encroachment Act, 1905 would not apply. The petitioner has a remedy before the civil court. The petitioner is at liberty to avail the said remedy. In that event, all contentions are kept open.



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4. With the above observation, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

21.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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