



W.P.No.13364 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.13364 of 2024

R.Sampath

.. Petitioner

vs

1.The District Collector,  
Thiruvannamalai District,  
Thiruvannamalai-606 604.

2.The Revenue Divisional Officer,  
O/o. Arani Revenue Divisional Office,  
Thiruvannamalai District,  
Thiruvannamalai-632 301.

3.The Tahsildar,  
Polur Taluk,  
Thiruvannamalai District,  
Thiruvannamalai – 606 803.

4.Magalingam

5.Velmurugan

6.Elumalai

7.Athishkumar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1



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to 3 to consider the petitioner's representation dated 29.2.2024 and consequently directing the respondents 1 to 3 to remove all encroachments made in the Government poramboke lands situated in Survey Nos.254/3, 4, 5 and 6 at Ananthapuram Village, Polur Taluk, Thiruvannamalai District.

For the Petitioner : Mr.N.Ramesh

For the Respondents : Mr.A.Edwin Prabakar  
State Government Pleader  
for respondents 1 to 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 issuance of a writ of mandamus directing respondents 1 to 3 to consider the representation of the petitioner dated 29.2.2024 and to remove the encroachments made in the Government poramboke lands in Survey Nos.254/3, 4, 5 and 6 situated at Ananthapuram Village, Polur Taluk, Thiruvannamalai District.

2. The case of the petitioner is that respondents 4 to 7 have encroached upon the Government poramboke lands (Anatheenam lands) situated in Survey No.254/3, 4, 5 and 6 and are causing



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hindrance to the free movement and access of the villagers to reach their agricultural lands.

3. Learned counsel for the petitioner submitted that originally the lands in question were allotted to Irular community on condition that the said lands are not to be transferred by way of sale, gift, mortgage or any other lease for a period of ten years from the date of assignment, even thereafter, it should not be transferred to other community people. Violating the said condition, the assignees have sold the said lands to other community people. Finding the illegal sales made in respect of the lands in question, respondents 1 to 3 have cancelled the assignment made in favour of the Irular community people and resumed the lands to the possession of Government thereby classifying as Anatheenam lands. Now respondents 4 to 7 have encroached on the said Anatheenam lands. In this regard, the petitioner has submitted a representation on 29.2.2024 and the said representation did not evoke any response till date.

4. Learned State Government Pleader, on instructions,



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submitted that the respondent authorities are taking steps to issue notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 to the encroachers and after getting reply from the encroachers, further action for removal of encroachments would be undertaken within a period of six months.

5. Recording the aforesaid submission made by learned State Government Pleader, the writ petition is disposed of with a direction to the respondent authorities to remove the encroachments in accordance with law, within a period of six months from the date of receipt of a copy of this order, after affording opportunity to all concerned. There shall be no order as to costs.

(D.K.K., ACJ.) (K.B., J.)  
22.07.2024

Index : Yes/No  
NC : Yes/No  
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To:

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