



W.P.No.36670 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.36670 of 2024

P.Saravanan
S/o.S.Palani

... Petitioner

Vs.

1. The District Collector
District Collectorate Office
Tiruvannamalai District - 606 604.
2. The District Revenue Officer
District Revenue Office
Tiruvannamalai District - 606 601.
3. The Revenue Divisional Officer
Revenue Divisional Office
Tiruvannamalai District - 606 601.
4. The Tahsildar
Tahsildar Office
Tiruvannamalai Taluk - 606 601.
5. The Revenue Inspector
Revenue Inspector Office
Savalpoondi Village

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Tiruvannamalai District - 606 603.

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6. The Village Administrative Officer
Village Administrative Office
Savalpoondi Village
Tiruvannamalai District - 606 603.

7. Sakkarai
S/o.Pillaiyar

8. Cauvery
D/o.Palayan

9. Sekar
S/o.Kannan

10. Murugan
S/o.Arunachalam

11. Parameshwari
W/o.Chinnapayyan

12. Annamalai
S/o.Sadayandi

... Respondents

Prayer :

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondents particularly 1st and 3rd respondents to consider the petitioner's representation dated 18.11.2024 to remove the encroachment illegally constructed on the Water Body Land (Odai Porambokku Land) in S.No.6/4, Savalpoondi Village, Tiruvannamalai District.

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For Petitioner : Mr.M.Abdul Kareem
For Respondents : Mr.T.K.Saravanan
Government Advocate
for R1 to R6

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity} pertains to 'S.No.6/4 in Saavalpoondi Village, Thiruvannamalai Taluk, Thiruvannamalai District' {hereinafter 'said land' for the sake of brevity}.

2. Learned counsel for writ petitioner submits that there is encroachment in said land and that alleged encroachers are R7 to R12 (private respondents). Learned counsel submits that a representation has also been sent and the writ petitioner is seeking action qua alleged encroachment.

3. Issue notice to official respondents i.e., R1 to R6.



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4. Mr.T.K.Saravanan, learned Government Advocate accepts notice for official respondents (R1 to R6).

5. Learned State Counsel, on instructions submits that a survey has been conducted on 22.10.2024, some encroachments have been found qua said land and that suitable action in accordance with law will be initiated. We make it clear that suitable action in accordance with law necessarily includes alleged encroachers being show caused (R7 to R12 or any other alleged encroachers).

6. Considering the limited scope of captioned WP, main WP was taken up in the Admission Board with the consent of both sides.

7. We make it clear that all rights and contentions of R7 to R12 (private respondents) as well as other alleged encroachers, if any, are preserved, when show caused and when action in accordance with law is initiated. As rights and contentions of private respondents are preserved, there is no impediment for disposal of main WP as such a preservation will



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serve as safety valve.

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8. We deem it appropriate to dispose of the captioned WP recording the stated position of learned State Counsel with preservation of rights in the aforesaid manner. Though obvious, we make it clear that all rights and contentions of writ petitioner also stand preserved. There shall be no order as to costs.

(M.S.,J.)

(K.R.S.,J.)

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Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

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