



WEB COPY

W.P. No.37066 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.12.2024

CORAM:

THE HON'BLE MR. JUSTICE M. SUNDAR
AND
THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.P. No.37066 of 2024

Jeyaraman

Petitioner

vs.

1. The District Collector
Krishnagiri District
Krishnagiri
2. The Revenue Divisional Officer
Uthangarai
Krishnagiri District
3. The Tahsildar
Uthangarai Taluk
Krishnagiri District
4. The Block Development Officer
Uthangarai
Krishnagiri District
5. Kantha
6. Shankar
7. Saroja

Respondents

Writ Petition filed under Article 226 of the Constitution of India
seeking a writ of mandamus directing the respondents 1 to 4 to remove the
encroachment made by respondents 5 to 7 as found in No.19/4 in
1/6



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Kariyaperuma Valasai Village, Uthangarai Taluk, Krishnagiri District, bei...

Government land within a time frame.

For petitioner	Mr. J. Pradeep
For RR 1 to 3	Mr. T.K. Saravanan Government Advocate
For R4	Mr. P. Gurunathan Additional Govt. Pleader

ORDER

(made by M. SUNDAR, J.)

Captioned 'writ petition' (for the sake of brevity 'WP') pertains to 'Survey No.19/4 in Kariya Perumal Valasai Village, Uthangarai Taluk, Krishnagiri District' (for the sake of brevity 'said land').

2. Writ petitioner submits that said land has been set apart for a public purpose but there is encroachment in the same which is causing hardship to him.



3. Learned counsel for writ petitioner points out that representation has already been sent to first respondent (District Collector, Krishnagiri).

4. Issue notice to official respondents.

5. Mr. T.K. Saravanan, learned Government Advocate, accepts notice for respondents 1 to 3. As regards fourth respondent, Mr.P.Gurunathan, learned Additional Government Pleader, accepts notice.

6. Learned Government Advocate submits, on instructions, that survey has already been conducted with regard to Survey Nos.19/2A3B, 19/2A3C and survey will now be conducted for Survey No.19/4 also. Learned Government Advocate submits that as regards Survey Nos.19/2A3B and 19/2A3C for which survey has already been conducted, encroachments have been found and notice under Section 131 of Tamil Nadu Panchayats Act, 1994, has been issued.

7. According to writ petitioner, respondents 5 to 7 (private respondents) are alleged encroachers.



8. We make it clear that if any encroachment is found in said land, the alleged encroachers shall be show caused, be it respondents 5 to 7 and or any other encroacher. This preserves the rights of respondents 5 to 7 (private respondents). We also add that all the rights and contentions of respondents 5 to 7 (private respondents) and or any other alleged encroacher, who may be show caused, remain preserved when show caused if that be so and if that is the case. In this view of the matter, we deem it appropriate to take the main writ petition in the admission board with the consent of both sides.

9. In the light of the narrative, discussion and dispositive reasoning thus far, this Court is of the considered view that it will suffice to record the stated position of the learned Government Advocate and dispose of the captioned WP as closed. We do so.



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10. *Ergo*, sequitur is captioned main WP is disposed of as closed albeit recording stated position of learned Government Advocate. There shall be no order as to costs.

(M.S., J.) (K.R.S., J.)
12.12.2024

Index : Yes/No

NC : Yes/No

cad

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and

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