



W.P.No.1999 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

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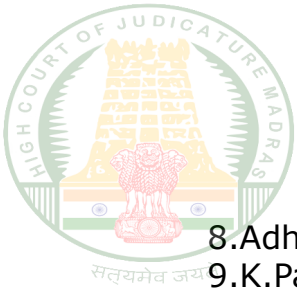
Santhi Balakrishnan,
President,
Visoor Panchayat,
Visoor, Panruti Taluk,
Cuddalore District – 607 805.

... Petitioner

Vs.

- 1.The Collector,
Cuddalore District,
Cuddalore.
- 2.The Additional Collector/Project Director,
District Town Planning Authority,
Cuddalore.
- 3.The District Revenue Officer,
Cuddalore District,
Cuddalore.
- 4.The Tahsildhar,
Panruti Taluk, Panruti.
- 5.The Block Development Officer,
Panruti Panchayat Union,
Panruti.
- 6.Sathiyaraj
- 7.A.Sekar

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- 8.Adhimoolam
9.K.Packiyaraj
10.K.Saroja
11.P.Thirumani
12.A.Sundaram
13.R.Azhagunathan
14.R.Palani
15.Kirushnamoorthi
16.M.Murugaiyan
17.A.Patturoja
18.P.Vengatesan

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 5 to take appropriate steps for handing over the poramboke land in Manalur Village bearing S.Nos.12/1, 12/2, 12/3 and 13/2 to the panchayat for the construction of Noon-meal Center, Ration Shop, public toilet and play ground in Ward No.1, Manalur Road Colony, Visoor Panchayat by removing the encroachments.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.M.S.Arasakumar,
Government Advocate
for R1 to R4
Mr.K.Suresh,
Government Advocate for R5
No appearance for R6 to R18



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ORDER

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

Subject matter of captioned 'Writ Petition' [hereinafter 'WP' for the sake of brevity] is alleged encroachment in 'Survey Nos.12/1, 12/2, 12/3 and 13/2, Ward No.1, Manalur Road Colony, Visoor Panchayat, Panruti Taluk, Cuddalore District' (hereinafter 'said lands' for the sake of convenience and clarity).

2. Request for removal of aforereferred alleged encroachment/s by way of as many as three representations dated 11.10.2020, 24.06.2021 and 18.03.2022 has not yielded results and that has necessitated captioned WP, is the submission of learned counsel for writ petitioner.

3. Mr.D.Baskar, learned counsel on record for writ petitioner, Mr.M.S.Arasakumar, learned Government Advocate for R1 to R4 and Mr.K.Suresh, learned Government Advocate for R5 are before this Court. Though the private respondents have entered appearance through counsel and names of the counsel have been duly shown in the cause list, there is no representation for private respondents/R6 to

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R18 either in physical Court or on VC (Video Conferencing) platform.

To be noted, this is a hybrid hearing, which is a regular/routine/daily feature in this Court.

4. Learned State counsel submits that survey of said lands will be done within a period of six weeks from today, *i.e.*, on or before 05.08.2025, after putting on notice writ petitioner, private respondents/R6 to R18 and/or any other person who may be interested/concerned and depending on the outcome of the survey, action for removal of encroachment (if found) will be commenced *vide* the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905) or any other appropriate / applicable statute as expeditiously as the business of official respondents would permit but in any event within a period of six weeks therefrom, *i.e.*, on or before 16.09.2025. This submission is recorded.

5. Though obvious, we make it clear that all the rights and contentions of private respondents/R6 to R18 stand preserved and this order does not impinge upon their rights.



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6. In the light of the prayer of the writ petitioner, post survey in the report to be drawn up by R4, if there is no encroachment qua said lands or post removal of encroachment (by following due process of law) as the case may be, writ petitioner's request to implement the local body resolution dated 21.02.2020 for allotting said lands to noon-meal centre, ration shop, public toilet and play ground shall be considered by R5 on its own merits and in accordance with law as expeditiously as possible but in any event within eight weeks from the date of conclusion of survey (if there are no encroachments) or from the date of removal of encroachments as the case may be.

7. In the light of the narrative thus far, captioned WP is disposed of in the aforesaid manner. There shall be no order as to costs.

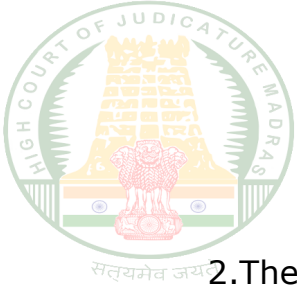
(M.S.,J.) (H.C.,J.)
24.06.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

1.The Collector,
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2.The Additional Collector/Project Director,
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