



W.P.No.8607 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 13.03.2025

CORAM

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

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

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J.Prasanna

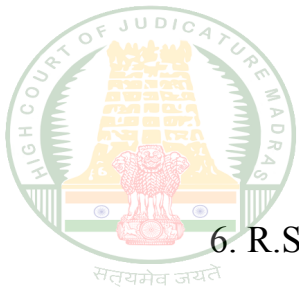
D/o.Jeyaraman

... Petitioner

vs.

1. The District Collector
District Collector Office
Ariyalur District
2. The District Revenue Officer
Senthurai Taluk
Ariyalur District
3. The Revenue Divisional Officer
Udaiyarpalayam Post
Ariyalur District – 621 804
4. The Tahsildhar
Maruvathur Village
Senthurai Taluk
Ariyalur District
5. S.Ramanathan
S/o.Saminathan

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6. R.Sankar

... Respondents

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Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing Respondents 1 to 4 to remove the encroachments in Sarkar Puramboke in Survey No.330/36 at East Road, Sedakkudikadu Post, Senthurai Taluk, Ariyalur District by considering the petitioner's representation dated 06.11.2024 to Respondents 1 to 4.

For Petitioner : Mr.P.Bhaskar

For Respondents : Mr.M.S.Arasakumar
Government Advocate for R1 to R4

ORDER

[Order of the Court was made by **K.GOVINDARAJAN THILAKAVADI, J.,**]

Captioned writ petition is filed with a mandamus prayer directing the official respondents 1 to 4 to remove the encroachments in subject land situate in S.No.330/36 at East Road, Sedakkudikadu Post, Senthurai Taluk, Ariyalur District.

2. Mr.P.Bhaskar, learned counsel for writ petitioner submits that the land in S.No.330/36 is classified as Sarkar Poramboke and the same is used as a road for the houses in S.Nos.91/1C, 91/2, 91/1D and 91/11 including the house of the writ petitioner. The learned counsel further submitted that

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the said road is being used by the villagers and others to reach their agricultural lands in S.No.93/5.

3. The private respondents, namely R5 and R6 are constructing a temple blocking the said road due to which the free access to the houses situate in aforementioned survey number is obstructed. In this regard, writ petitioner submitted a representation on 06.11.2024 to the official respondents R1 to R4 for removal of said alleged encroachment by R5 and R6. Since no action is taken by the respondents, writ petitioner has come forward with the present writ petition with the mandamus prayer.

4. Issue notice to the official respondents i.e., R1 to R4.

5. Mr.M.S.Arasakumar, learned Government Advocate accepts notice for R1 to R4 and submits, on instructions, that survey has been conducted and it is found that alleged temple is being constructed only in a portion of land in S.No.330/36. However, learned State counsel fairly submits that writ petitioner was not put on notice.

6. In view of the submission made by the learned Government Advocate, we deem it appropriate to pass the following order:

i) There shall be a joint survey in respect of lands in



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S.No.330/36 along with S.Nos.91/1C, 91/2, 91/1D and 91/11 and S.No.93/5 after putting on notice the writ petitioner as well as R5 and R6 and/or any other encroacher(s), if any.

ii) If the survey report reveals that the alleged encroachment is obstructing the free access to the house of the writ petitioner and others, the competent authority is directed to take suitable action in accordance with law on its own merits.

iii) As we are not passing any orders adverse to private respondents and on the contrary, we are preserving all the rights and contentions of private respondents (R5 and R6) and/or any other alleged encroacher/s, we are taking up the main writ petition in the Admission Board with the consent of learned counsel for writ petitioner and learned State counsel dispensing with notice to private respondents R5 and R6.

iv) The decision taken based on the joint survey report shall be communicated to the writ petitioner.



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Accordingly, this writ petition is disposed of. There shall be no order

as to costs.

(M.S.,J.)

(K.G.T.,J.)

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Index : Yes/No

Neutral Citation : Yes/No

gpa

To

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**M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

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