



W.P.No.3156 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2025

Coram

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

and

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

W.P.No.3156 of 2025

Mr.S.Elumalai

S/o.Swaminathan

.. Petitioner

VS

1. The District Collector

Tiruvannamalai District

2. The District Revenue Officer

Tiruvannamalai District

3. The Revenue Division Officer

Tiruvannamalai District – 606 601

4. The Thasildar

Chengam Taluk

Tiruvannamalai District – 606 709

.. Respondents

Petition filed under Article 226 of the Constitution of India



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praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner representation dated 06.11.2023, 20.01.2024, 20.05.2024 and 20.06.2024 which is classified as Government poramboke pathway in survey numbers 104, 105, 36 to 51, 52, 53, 63 and 64.

For Petitioner : Ms.V.Karthigaipriya

For Respondents : Mr.T.K.Saravanan
Government Advocate for R1 to R4

ORDER

(Order of the Court was made by M.SUNDAR, J.)

Captioned writ petition has been filed alleging encroachment in 'S.Nos. (Prayer) in 104, 105, 36 to 51, 52, 53, 63 and 64 in Aratvadi Village, Chengam Taluk, Tiruvannamalai District' [hereinafter 'said lands' for the sake of brevity and convenience].

2. Ms.V.Karthigaipriya, learned counsel for writ petitioner submits that said lands are classified as Government Poramboke lands and that it is a Government public pathway. Repeated request were in vain necessitating captioned main WP is learned writ petitioner's counsel say.



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3. Issue notice.

4. Mr.T.K.Saravanan, learned State counsel accepts notice for all respondents.

6. Mr.T.K.Saravanan, learned State counsel submits, on instructions, that a survey is on the anvil. Learned State counsel submits on instructions that survey qua said land will be conducted within three weeks from today i.e., by 24.02.2025 after putting on notice all concerned. This submission is recorded.

7. Learned State counsel submits that post survey or in other words, in the survey, if any encroachment/s is / are found, necessary action under the appropriate/applicable Statute/s will be commenced after show-causing the alleged encroachers. We make it clear that all the rights and contentions of alleged encroachers are preserved for responding, if they are show-caused.

8. Considering the facts and circumstances of the case, we are of the considered view that it will address the grievance of the writ



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petitioner, if the stated position of learned State counsel is recorded. We do so.

9. In the light of the narrowed down scope of the captioned main writ petition, captioned main writ petition is taken up with the consent of learned counsel on both sides. Captioned writ petition disposed of recording the stated position of learned State counsel (captured supra).

There shall be no order as to costs.

[M.S., J] [K.G.T., J]
03.02.2025

Index: Yes/No
Speaking order / Non-speaking order
gpa



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