



W.P.No.3787 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

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

and

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

W.P.No.3787 of 2025

T.Ramalingam

... Petitioner

Vs.

1.The District Collector,
Cuddalore,
QQF4+9M6, Gundu Salai Road,
Alpet, Manjakuppam,
Cuddalore,
Tamil Nadu – 607 001.

2.The Revenue Divisional Officer,
Virudhachalam,
G88H+J2J, Parthasarathy Street,
Virudhachalam,
Tamil Nadu – 606 001.

3.Block Development Officer,
Block Development Office,
Kammapuram,
Virudhachalam,
Cuddalore District,
Tamil Nadu – 606 103.

... Respondents



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Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to remove the illegal constructions made in the stream by the third respondent adjacent to the agricultural land in Survey No.264/1 by considering the representation dated 02.09.2024 within the time frame fixed by this Court.

For Petitioner : Mr.V.Sundarraman
For Respondents : Mr.T.K.Saravanan,
Government Advocate
for R1 and R2
Mr.P.Ganesan,
Government Advocate for R3

ORDER

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

Subject matter of captioned main 'Writ Petition' (hereinafter 'WP' for the sake of brevity) is a land comprised in Survey No.264 in 108, Manakollai Village, Virudhachalam Taluk, South Arcot District (hereinafter 'said land' for the sake of convenience and clarity).

2. Mr.V.Sundarraman, learned counsel on record for writ petitioner submits that the writ petitioner's patta land is adjacent to said land and some construction is being put up in said land which has been classified as 'Arasu Poramboke'.

Page Nos.2/6



W.P.No.3787 of 2025

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3. Issue notice.

4. Mr.T.K.Saravanan, learned Government Advocate accepts notice for R1 and R2 and Mr.P.Ganesan, learned Government Advocate accepts notice for R3.

5. Learned State counsel submits on instructions that R3 (Block Development Officer, Block Development Office, Kammapuram, Virudhachalam, Cuddalore District – 606 103) is only constructing a structure which is required for burial ground and ceremonies pertaining to burial.

6. Owing to limited scope of captioned main WP, main WP is taken up in the Admission Board with the consent of learned counsel on both sides.

7. Learned counsel for writ petitioner submits emphatically that said land is classified as 'Arasu Poramboke'. In the prayer in the WP, it

Page Nos.3/6



W.P.No.3787 of 2025

is mentioned that there is a stream qua said land. In the photographs which have been annexed to the typed set of papers, there is no stream. There is no other document to demonstrate that it is a stream.

8. Learned State counsel submits on instructions that a structure is being put up for larger public cause, after taking necessary approvals and clearances. This submission is recorded.

9. In the light of the narrative thus far, we find no infirmity in State putting up a construction required for burial ground qua said land which is admittedly classified as 'Arasu Poramboke'. This means, we find no ground to interfere qua the matter at hand.

10. Ergo, sequitur is, captioned WP fails and the same is dismissed. There shall be no order as to costs.

(M.S.,J.) (K.G.T.,J.)
06.02.2025

Index : Yes / No
Neutral Citation : Yes / No
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Page Nos.4/6



W.P.No.3787 of 2025

To

WEB COPY

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K.GOVINDARAJAN THILAKAVADI, J.,**

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W.P.No.3787 of 2025

06.02.2025

Page Nos.6/6