



WEB COPY



W.P.No.5216 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

W.P.No.5216 of 2023

P. Ramasamy

Petitioner

vs.

1. The District Collector
Cuddalore District
Cuddalore
2. The Revenue Divisional Officer
Cuddalore Revenue Division
Cuddalore, Cuddalore District
3. The Tahsildar
Veppur Taluk
Cuddalore District
4. Govindarasu
5. Ayyakannu
6. Pandu
7. Thangarasu
8. Markandan

Respondents



W.P.No.5216 of 2023

Writ Petition filed under Article 226 of the Constitution of India

seeking a writ of mandamus directing the respondents 1 to 3 to remove encroachments comprised in S.Nos.540/1 and 540/2 situated at Ka.Kudikadu Village, Veppur Taluk, Cuddalore District based on the petitioner's representation dated 24.04.2021.

For petitioner	Mr. C. Prabakaran
For RR 1 to 3	Mr. T.K. Saravanan Addl. Govt. Pleader

ORDER

[made by M. SUNDAR, J.]

This order will now dispose of the captioned 'writ petition' ['WP' for the sake of brevity].

2. Mr. C. Prabakaran, learned counsel on record for writ petitioner, who is before us, expresses regret for having missed the matter yesterday (23.06.2025).

3. Adverting to a representation dated 24.04.2021 from the writ petitioner, learned counsel for writ petitioner, submitted that there



W.P.No.5216 of 2023

are alleged encroachments in 'Survey Nos.540/1 and 540/2 at Ka. Kudikadu Village, Veppur Taluk, Cuddalore District' [hereinafter 'said lands' for the sake of convenience and clarity] by RR 4 to 8. To be noted, RR 4 to 8 are private respondents.

4. Considering the facts and circumstances of the case in juxtaposition with G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 {hereinafter 'said GO' for the sake of convenience} which puts in place a removal of encroachment procedure *inter alia* giving opportunity to alleged encroachers, we are of the view that the captioned WP can be disposed of as a safety valve / adequate protection *qua* alleged encroachers *i.e.* RR 4 to 8 is put in place.

5. Mr. T.K. Saravanan, learned Additional Government Pleader for RR 1 to 3 is before us.

6. In the light of what has been alluded to *supra* and considering the limited scope of the captioned WP, with the consent of both sides, captioned WP was taken up.



W.P.No.5216 of 2023

WEB COPY

7. It was submitted by learned State counsel that said GO has been put in place, wherein and whereby Divisional Monitoring Committee, District Monitoring Committee and State Steering Committee have been constituted *inter alia* for a single point reporting / monitoring system *qua* Government lands.

8. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by R2 *qua* said GO.

9. We direct the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said lands.

10. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment), report the encroachment to appropriate authorities concerned for further action (for removal of encroachment). In this regard, we are acutely



W.P.No.5216 of 2023

conscious that the matter is being disposed of without notice to alleged encroachers and therefore, this safety valve is put in place. To be noted, all the rights and contentions of alleged encroachers are preserved for being raised before the Committee concerned which shall consider the same on their own merits and in accordance with law untrammelled by this proceedings in this Court. The entire exercise shall be completed within a period of 14 weeks from today *i.e.*, by 30.09.2025.

11. It is open to the writ petitioner and or anyone concerned with this matter to come to this Court on the same issue even with a similar / same prayer if there is any change of circumstances.

12. We make it clear that we have not expressed any view or opinion as to whether there is encroachment or not *qua* said lands as it turns on facts and it is for the Divisional Monitoring Committee to take a call on this aspect of the matter. We also make it clear that this exercise will not apply to patta land and it will apply only to public land, if there is any encroachment in public land.



WEB COPY



W.P.No.5216 of 2023



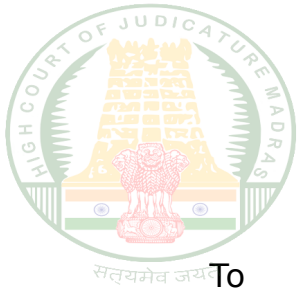
W.P.No.5216 of 2023

WEB COPY

13. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. There shall be no order as to costs.

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

cad
Index: Yes/No
N.C. : Yes/No



W.P.No.5216 of 2023

To
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WEB COPY



W.P.No.5216 of 2023

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W.P.No.5216 of 2023

24.06.2025

Page Nos.9/9