



W.P.No.6770 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

W.P.No.6770 of 2023
and
W.M.P.No.6858 of 2023

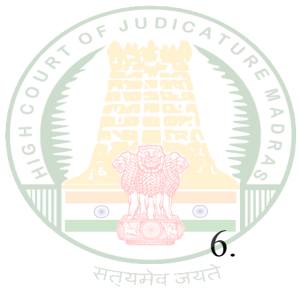
R.Rajkumar
S/o.Raji

... Petitioner

VS.

1. The District Collector
Thirupattur District.
2. The Assistant Director
Panchayat
Tirupattur District.
3. The Assistant Executive Engineer
Department of Rural Development
Tirupattur District.
4. The Assistant Director
Mahatma Gandhi National Rural Employment Guarantee Scheme
Tirupattur District.
5. The Planning Director
District Rural Development Agency (DRDA)
Tirupattur District.

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6. The Block Development Officer
Block Development Office
Aasiriyar Nagar, Pachal
Tirupattur District.

7. Sathya
W/o.Balakrishnan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 6th respondent to remove the encroachment of the petitioner's land situate in Survey No.178/3 to the extent of 0.19 cents at Ellapalli Village, Vettapattu Mathurar, Thirupattur District by considering the petitioner's representation dated 06.12.2022.

For Petitioner : Mr.M.Arun
of M/s.Karan & Uday (Law Firm)
For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for R1 to R6

ORDER

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

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

2. Mr.M.Arun, learned counsel of M/s.Karan & Uday (Law Firm) on behalf of writ petitioner and Mr.T.K.Saravanan, learned Additional



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Government Pleader for R1 to R6 are before us.

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3. Adverting to a representation dated 06.12.2022 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Survey No.178/3 to an extent of 0.19 cents at Ellapalli Village, Vettapattu Mathurar, Thirupattur' [hereinafter 'said land' for the sake of convenience and clarity] by R7 before us. To be noted, R7 is a private respondent.

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 with the consent of both sides by putting in a safety valve / adequate protection qua alleged encroachers i.e., R7.

5. 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.

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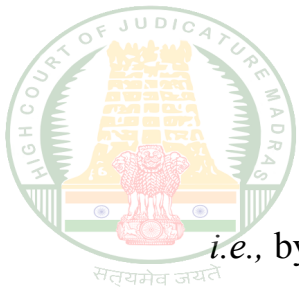
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6. It was submitted by learned State counsel that said GO has been put in place, wherein and whereby Divisional Monitoring Committee, District Monitoring Committee and State Steering Committee have been constituted *inter alia* for a single point reporting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

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

8. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land.

9. 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). 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



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i.e., by 29.09.2025.

WEB COPY 10. 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.

11. We make it clear that we have not expressed any view or opinion as to whether there is encroachment or not *qua* said land 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.

12. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

(M.S.J.,)

(R.S.V.J.,)

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Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

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**M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,**

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To

1. The District Collector
Thirupattur District.
2. The Assistant Director
Panchayat
Tirupattur District.
3. The Assistant Executive Engineer
Department of Rural Development
Tirupattur District.
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6. The Block Development Officer
Block Development Office
Aasiriyar Nagar, Pachal
Tirupattur District.
7. The Revenue Divisional Officer,
Tirupathur.

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