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W.P.No.10612 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

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

and

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

W.P.No.10612 of 2025

P.Rani Poornachandran

... Petitioner

Vs.

- 1.The Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 2.The District Revenue Officer,
Thiruvannamalai District,
Thiruvannamalai.
- 3.The Commissioner,
Arani Municipality,
Arani, Thiruvannamalai District.
- 4.The Tahsildar,
Arani Taluk Office, Arani,
Thiruvannamalai District – 632 301.

5.Padmaraj

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the first to fourth respondents to remove the illegal encroachment done by the fifth respondent, comprised in Town Survey No.64/1 of Arani Town, the

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Municipality Road and public well, Thiruvannamalai District, based on the letter dated 19.10.2022 in reference No.Na.Ka.Aa4/10243/2016 issued by the second respondent to the third respondent within a time stipulated by this Court.

For Petitioner : Mr.D.Senthilkumaar

For Respondents : Mr.T.K.Saravanan,
Additional Government Pleader
for R1 to R4

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 Town Survey No.64/1, Arani Town (Ward 15, Block 6), Arani Taluk, Thiruvannamalai District' (hereinafter 'said land' for the sake of convenience and clarity).

2. Mr.D.Senthilkumaar, learned counsel for writ petitioner, who is before us submits that private respondent/R5 (Mr.Padmaraj, S/o.Mr.Appandairaj) has encroached upon said land and there is inaction on the part of official respondents inspite of repeated requests. This has necessitated the captioned main WP is learned counsel's further say.



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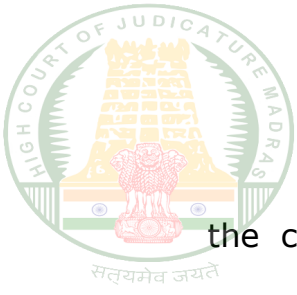
3. Issue notice.

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4. Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for official respondents R1 to R4.

5. Mr.T.K.Saravanan, learned State counsel on instructions submits that survey of said land in the presence of writ petitioner and R5 has been conducted today morning at around half past 9, encroachment has been noticed and suitable action under appropriate/applicable law will be commenced within a fortnight from today i.e., on or before 10.04.2025.

6. The above stated position of learned State counsel has made the legal drill on hand simple. Action under appropriate/applicable statute necessarily means show causing and giving an opportunity to alleged encroacher/R5 and/or any other encroacher, if found. This means that this order does not touch upon the rights of R5. We also make it clear that all the rights and contentions of R5 and/or any other noticee will stand preserved when show caused. Therefore, there is no impediment in taking up the captioned WP in the Admission Board with



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the consent of learned State counsel and learned counsel for writ petitioner by dispensing with notice to R5. We do so.

7. In the light of the narrative thus far, we are of the considered opinion that recording the stated position of learned State counsel (captured supra) will suffice for giving a closure to the captioned main WP. Therefore, captioned WP is 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.)
27.03.2025

Index : Yes / No
Neutral Citation : Yes/No
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To

- 1.The Collector,
Thiruvannamalai District, Thiruvannamalai.
- 2.The District Revenue Officer,
Thiruvannamalai District, Thiruvannamalai.
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**M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

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