



WEB COPY



W.P.No.12069 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2025

CORAM

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

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

**W.P.No.12069 of 2025**

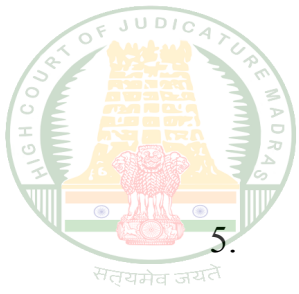
S.Sivakumar  
S/o.Sellamuthu

... Petitioner

VS

1. The District Collector  
1st Floor, Main Building  
Tiruchengode Road  
Namakkal District.
2. The Revenue Divisional Officer  
Revenue Divisional Office  
Mohanoor Road, Namakkal District.
3. The Thasildar, Thasildar Office  
Rasipuram Town Post  
Rasipuram Taluk  
Namakkal District - 637 408.
4. K.Madeshwaren  
S/o.Krupana Koundar

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5. P.Madeshwaren  
S/o.Pattai Mathu
6. P.Velayutham  
S/o.Periyaswamy Kounder
7. P.Anandan  
S/o.Poomalai
8. P.Vijayakumar  
S/o.Poonamali
9. G.Thangadurai  
S/o.Ganeshan
10. T.Sabarinathan  
S/o.Thangavelu

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to remove the encroachments in R.S.Nos.259-2A, 259-3A, 259-4A, 255/1A, 255/2A, 256/2, 290/2B2, 291/3, 291/4B, 292/2, 292/7A, 292/8A, 294/2A, 294/28 and 293/3C, which is classified as Nilaviyal Padhai in Naamakiripettai Village, Rasipuram Taluk, Namakkal District based on the petitioner's representation dated 20.05.2024.

For Petitioner : Mr.SP.Yuvaraj

For Respondents : Mr.T.K.Saravanan  
Additional Government Pleader  
for R1 to R3



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## **ORDER**

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[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.SP.Yuvaraj, learned counsel on record for writ petitioner is before us.

3. Adverting to a representation dated 20.05.2024, learned counsel for writ petitioner submitted that there is alleged encroachment in 'R.S.Nos.259-2A, 259-3A, 259-4A, 255/1A, 255/2A, 256/2, 290/2B2, 291/3, 291/4B, 292/2, 292/7A, 292/8A, 294/2A, 294/28 and 293/3C, which is classified as 'Nilaviyal Padhai' in Naamakiripettai Village, Rasipuram Taluk, Namakkal District' [hereinafter 'said land' for the sake of convenience and clarity] by R4 to R10 before us. To be noted, R4 to R10 are private respondents.

4. 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, main WP was taken up.

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5. It was submitted by learned Additional Government Pleader that

WEB COPY G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 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.

6. 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, Revenue Divisional Office, Namakkal District qua G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022.

7. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment qua said land. The Divisional Monitoring Committee shall also ensure that adequate and ample opportunity is given to persons concerned more particularly alleged encroachers (R4 to R10) before taking a call. 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 its own merits and



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in accordance with law untrammelled by this proceedings in this Court.

**WEB COPY** 8. The Divisional Monitoring Committee qua G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022, shall (if it comes to the conclusion that there is encroachment) report the encroachment for further action (for removal of encroachment which again shall be after giving adequate and ample opportunity to alleged encroacher). The entire exercise shall be completed within a period of twelve weeks from today i.e., by 27.06.2025.

9. It is open to the WP 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 are any change of circumstances.

10. 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.



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11. 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.)

(K.G.T.,J.)

04.04.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking order

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**M.SUNDAR, J.,  
and  
K.GOVINDARAJAN THILAKAVADI, J.,**

*mk*

To

1. The District Collector  
1st Floor, Main Building  
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