



WEB COPY



W.P.No.12007 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.12007 of 2023**  
and  
**W.M.P.No.11863 of 2023**

S.Kumar  
S/o.Samikannu

... Petitioner

VS.

1. The Revenue Divisional Officer  
Office of the Revenue Divisional Office  
Chengalpattu District.
2. The Tahsildar  
Thiruporur Taluk  
Chengalpattu Road, Thiruporur  
Chengalpattu District.
3. S.Iyyappan  
S/o.Samikann

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 21.06.2016 and evict the 3rd respondent and his agents from Survey No.3, situate at Thandalam Village,

Page Nos.1/6



W.P.No.12007 of 2023

Thiruporur Taluk, Chengalpattu District and restore the lands to its original state.

For Petitioner : Ms.B.Girija  
For Respondents : Mr.T.K.Saravanan  
Additional Government Pleader  
for R1 & R2

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### **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. Ms.B.Girija, learned counsel on record for writ petitioner and Mr.T.K.Saravanan, learned Additional Government Pleader for R1 and R2 are before us.

3. Adverting to a representation dated 21.06.2016 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Survey No.3, situate at Thandalam Village, Thiruporur Taluk, Chengalpattu District' [hereinafter 'said land' for the sake of convenience and clarity] by R3 before us. To be noted, R3 is a private



W.P.No.12007 of 2023

respondent.

WEB COPY 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., R3.

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.

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.



W.P.No.12007 of 2023

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 Sub-Collector / Revenue Divisional Officer, Chengalpattu *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 *i.e.*, by 29.09.2025.

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.



W.P.No.12007 of 2023

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.,)

23.06.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

*mk*



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*W.P.No.12007 of 2023*

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

*mk*

To

1. The Revenue Divisional Officer  
Office of the Revenue Divisional Office  
Chengalpattu District.
2. The Tahsildar  
Thiruporur Taluk  
Chengalpattu Road, Thiruporur  
Chengalpattu District.
3. The Sub-Collector  
Chengalpattu.

**W.P.No.12007 of 2023**

**23.06.2025**

Page Nos.6/6