



WEB COPY

WP No.11158 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2025

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

WP No.11158 of 2025

1.Govindaraj,
S/o.Poonsolai, Sengadu Village,
Panchapalli Post, Palacode Taluk,
Dharmapuri District.

2.Rukumani,
W/o.Govindaraj, Sengadu Village,
Panchapalli Post, Palacode Taluk,
Dharmapuri District.

3.Palaniammal,
W/o.Chinnapaiyan, Sengadu Village,
Panchapalli Post, Palacode Taluk,
Dharmapuri District.

Petitioner(s)

Vs

1. The District Collector,
District Collectorate Office,
Dharmapuri District.

2.The Revenue Divisional Officer,
RDO Office, Dharmapuri Taluk & District.



3.The Tahsildar,
Taluk Office, Palacode Taluk,
Dharmapuri District.

WEB COPY

4.The Block Development Officer,
BDO Office, Palacode,
Dharmapuri District.

5.Saravanan
S/o.Nandakumar, Panjapalli Village & Post,
Palacode Taluk, Dharmapuri District.

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, to direct the 3rd and 4th respondents to consider and dispose petitioners representations dated 18.11.2024 and 23.12.2024 requesting to remove the road laid illegally within petitioners patta land comprised in Survey Nos.255/3A, 2555/4A and 255/5A1 situated at Panchapalli Post, Palacode Taluk, Dharmapuri District, within the time frame to be fixed by this Honourable court and pass such further orders.

For Petitioners: Mr.D.Rameshkumar

For Respondents: Mr.M.Rajendiran,
Additional Government Pleader
for R1 to R3

M/s.P.Vijayadevi,
Government Advocate for R4

**ORDER**

WEB COPY

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the 3rd and 4th respondents to consider and dispose of the petitioners' representations dated 18.11.2024 and 23.12.2024 requesting to remove the road laid illegally within the petitioners patta land comprised in Survey Nos.255/3A, 2555/4A and 255/5A1 situated at Panchapalli Post, Palacode Taluk, Dharmapuri District.

2. The petitioners are the absolute owners of agricultural lands in Survey Nos.255/3A, 2555/4A, and 255/5A1, located in Panchapalli Post, Palacode Taluk, Dharmapuri District. The properties were purchased through registered sale deeds on 31.08.2000, and they have been in peaceful possession, paying all statutory dues. Due to livelihood reasons, they moved to Bangalore, and in 2023, following a major accident involving the first Petitioner's son, they remained there for his treatment.

3. In January 2024, during their absence, the fourth and the fifth respondents unlawfully laid a road overnight on their patta land without



initiating any legal acquisition process or issuing any notice. This road was allegedly laid for the benefit of one Mr.Prakash, a business associate of the 5th

WEB COPY

Respondent. The Petitioners, upon learning of this, returned and confronted the Respondents, who threatened them with dire consequences.

4. The petitioners argue that the actions of the Respondents are illegal, arbitrary and an abuse of power. They claim that the Respondents, using money and muscle power, encroached upon their land with the support of officials. Despite submitting representations on 29.01.2024 and issuing a legal notice on 17.02.2023, the authorities have failed to take any action. The Petitioners also filed O.S.No.94 of 2024 before the District Munsif Court, Palacode, seeking a declaration and permanent injunction. However, the official Respondents have delayed filing their written statements, and the fifth respondent has evaded service. Due to the inaction of the authorities, the Petitioners have approached this by way of filing this present writ petition.

5. Learned Additional Government Pleader appearing for R1 to R3 would submit that the representations of the petitioners dated 18.11.2024 and



23.12.2024 respectively would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

6. Heard both sides and perused the materials available on record.

7. Without going into the merits of the case, this Court is inclined to pass the following directions:

(i) The 3rd and 4th respondents are directed to consider the representations of the petitioners dated 18.11.2024 and 23.12.2024 respectively after conducting a detailed enquiry by giving due notice to the petitioner as well as the 5th respondent affording an opportunity of personal hearing, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

(ii) While considering the representations of the petitioners, the 3rd and 4th respondents should also take into consideration the payment of compensation for which the road has been laid in the petitioners patta land.



N.MALA, J.

WEB COPY

In the result, the writ petition stands disposed of with the above

observations and direction. No costs

11.07.2025

Cda/AP

Index: Yes/No

Speaking/Non-speaking order

To

1.The District Collector,
District Collectorate Office,
Dharmapuri District.

2.The Revenue Divisional Officer,
RDO Office, Dharmapuri Taluk & District.

3.The Tahsildar,
Taluk Office, Palacode Taluk,
Dharmapuri District.

4.The Block Development Officer,
BDO Office, Palacode,
Dharmapuri District.

WP.No.11158 of 2025