



W.P.No.12389 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 08.07.2025

CORAM

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

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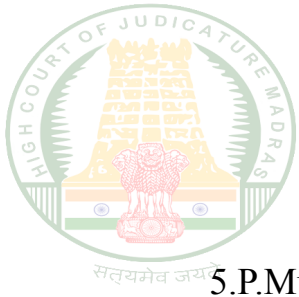
K.Velumani

... Petitioner

Vs.

1. The Superintending Engineer
National Highways
Narasothipatti
Kurangu Chavadi
Ommalur Main Road
Salem - 4
2. The Divisional Engineer
National Highways
ATT Colony
Coimbatore - 641 018
3. The Tahsildar
North Taluk
Dr.Balasundaram Road
Coimbatore - 641 018
4. R.Rangarajan

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5.P.Murugesan

6. N.Palanisamy

7. N.Murugesan

8. D.Govindaraj @ Ravi

9. M.Damodarasamy

10. R.Najappan

11. P.Senthil Kumar

12. D.Sathiyamoorthy

13. Babu @ Balakrishnan

14. A.C.Rathinasamy

15. P.Ayyasamy

16. R.S.Sarath Babu

17. D.Dharanipathi

18. S.Santhosh

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Mandamus directing the respondents to remove
the encroachments made by the respondents Nos.4 to 18 in S.F.No.392

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situated in Perianaickenpalayam Village, Coimbatore based on the enquiry report submitted by the second respondent in Se.Mu.Aa.No.14141/2019/A2 dated 02.01.2020 in a time bound manner.

For Petitioner : Mr.I Abrar Mohamed Abdullah

For Respondents : Mr.K.Suresh
Government Advocate for R1 to R3

Mr.A.Singaravelan
Senior counsel for Ms.A.Sri Jayanthi
for R4 to R14 and R16 to R18

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.I.Abrar Mohamed Abdullah, learned counsel on record for writ petitioner, Mr.K.Suresh, learned Government Advocate for R1 to R3, and Mr.R.Singaravelan, learned Senior Advocate appearing on behalf of Ms.A.Sri Jayanthi, learned counsel for R4 to R14 and R16 to R18 are before this Court.



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WEB COPY 3. Adverting to representation dated 18.11.2019 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'poramboke land in S.F.No.392 in Perianaickenpalayam Village, Coimbatore ' [hereinafter 'said land' for the sake of convenience and clarity] by R4 to R18. To be noted, R4 to R18 are private respondents.

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 by putting in a safety valve / adequate protection qua alleged encroachers i.e., R4 to R18.

5. 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.



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

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

8. 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 14.10.2025.



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9. 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.

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.

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.)

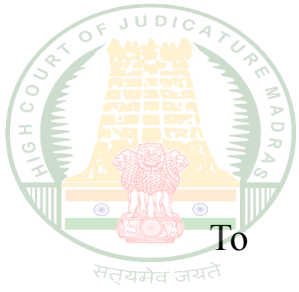
(H.C.J.)

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Index : Yes / No

Neutral Citation : Yes / No

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