



W.P. No.13104 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P. No.13104 of 2025

C. Elumalai

Petitioner

vs.

1. The District Collector/Inspector of Panchayats
Kallakurichi 606 202
Kallakurichi District
2. The Revenue Divisional Officer
Kallakurichi 606 202
Kallakurichi District
3. The Revenue Tahsildar
Sankarapuram Taluk
Kallakurichi District
4. The Block Development Officer
Kallakurichi Panchayat Union
Kallakurichi
Kallakurichi District
5. The Ka. Alambalam Village Panchayat
represented by its President
Ka. Alambalam Village
Sankarapuram Taluk
Kallakurichi District

Respondents



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WEB COPY

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to remove the encroachments in the public street in S.F.Nos.155/31 (0.00.07 sq. meter) and 155/32 (0.01.11 sq. meter), Ka. Alambalam Village, Sankarapuram Taluk, Kallakurichi District, by considering the petitioner's representation dated 19.12.2024.

For petitioner Mr. N. Manokaran

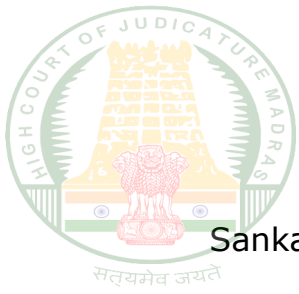
For respondents Mr. T.K. Saravanan
Addl. Government Pleader

ORDER

[made by K. THILAKAVADI GOVINDARAJAN, J.]

This writ petition has been filed seeking a writ of mandamus directing the respondents to remove the encroachments in the public street in S.F.Nos.155/31 and 155/32 in Ka.Alambalam Village, Sankarapuram Taluk, Kallakurichi District (for brevity "the said lands") by considering the petitioner's representation dated 19.12.2024.

2. The learned counsel for the petitioner submits that the petitioner owns a house in S.F.No.156/16 in Ka. Alambalam Village,



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Sankarapuram Taluk, Kallakurichi District; to reach his house, the petitioner has to use the said lands; while so, the residents on either side of the public street, have encroached on the said lands resulting in the reduction of the width of the public street from 3.8 metres to 1 meter; since the petitioner's representation dated 19.12.2024 to the authorities concerned seeking removal of encroachments has not evoked any response, the instant writ petition has been filed seeking the aforesaid relief.

3. Issue notice to the respondents.

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for all the respondents and submits, on instructions, that on 12.04.2025, inspection of said lands was done and it was found that two persons, viz., Muniyan, son of Karuppan and Mayavan, son of Semmandi, have encroached on the said lands. Learned State counsel further submitted that conduct of a survey is on the anvil and on survey, if encroachments by the said two persons and/or any other person(s) are found, action will be initiated under Section 131(2) of the Tamil Nadu Panchayats Act, 1994.

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5. In view of the above stated position of the learned State counsel, it is directed that survey of the said lands shall be conducted within two weeks from today *i.e.* on or before 29.04.2025 and on survey, if encroachments are found on the said lands by the aforesaid two individuals and/or any other person/s, action shall be commenced under the appropriate statute within a period of four weeks thereafter, *i.e.*, on or before 27.05.2025, of course, after putting on notice the alleged encroachers.

6. With the above direction, this writ petition stands disposed of. There shall be no order as to costs.

(M.S., J.) (K.G.T., J.)
15.04.2025

cad
Index : Yes/No
NC : Yes/No



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M.SUNDAR, J.

and

K. GOVINDARAJAN THILAKAVADI, J.

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