



W.P.No.17645 of 2025

ADDENDA

W.P.No.17645 of 2025

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M.SUNDAR, J.,

and

HEMANT CHANDANGOUDAR, J.,

(Order of the Court was made by **M.SUNDAR, J.,**)

Captioned matter is listed today under the cause list caption 'FOR BEING MENTIONED' at the instance of learned counsel for the writ petitioner.

2. Mr.A.Deivasigamani, learned counsel on record for writ petitioner and Mr.K.Suresh, learned Government Advocate for respondents 1 to 3 & 7 are before us.

3. Learned counsel for writ petitioner submitted that there is an error crept in Paragraph No.3 of order dated 02.06.2025 in and by which the captioned WP was disposed of. Learned counsel submits that the encroachment is in water body in S.Nos.63 and 64 of Zamin Ellampalli Village and not in S.No.247/4B, Solasiramani Village, Paramathi Velur Taluk, Namakkal District.

4. In the light of above submission, in paragraph No.3, ***'Government land in survey number 247/4B, Solasiramani Village, Paramathi Velur Taluk, Namakkal District'*** should be read as ***'land in S.Nos.63 and 64 (which is a water body) situate in Zamin Ellampalli Village'***.

M.SUNDAR, J.,



WEB COPY



W.P.No.17645 of 2025

and
HEMANT CHANDANGOUDAR, J.,

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5. All the afore-referred counsel on either side agreed to have the aforementioned correction made. In all other aspects, the order dated 02.06.2025 remains the same. Therefore, this order will now be made as 'Addenda' and Corrigendum / Errata to 02.06.2025 order already pronounced in open court and already uploaded. This order will now be uploaded as 'ADDENDA' to / along with order made by this Court on 02.06.2025 and the Registry is directed to carry out necessary and consequential corrections and shall issue certified copies accordingly.

[M.S.J.] [H.C.J.,]
30.06.2025

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W.P.No.17645 of 2025



W.P.No.17645 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.17645 of 2025

K.Ramesh

... Petitioner

Vs.

1. The District Collector
District Collector Office
Namakkal
2. The Thasildhar
Paramathi Velur Taluk
Namakkal
3. The Block Development Officer
Kabilarmalai
Namakkal District
4. G.Kavin Kumar
5. S.Palaniappan
6. P.Krishnamoorthu
7. The Revenue Divisional Officer
Tiruchengode, Namakkal District

... Respondents

(*R7 suo motu impleaded vide this order)

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the respondents to take appropriate decision based on the petitioner's representations dated 17.10.2024 and 25.11.2024 for preventing the petitioner's land in Survey



W.P.No.17645 of 2025

No.247/4B situated at Solasiramani Village, Paramathi Velur Taluk, Namakkal District from the damages and heavy loss caused by the illegal occupation and encroachment made in the water streams and other water bodies which is located adjacent to the petitioner's land thereupon and take further action for removal of the illegal occupation and encroachment made by the respondents 4 to 6 which is causing serious prejudice and impact on the locality and nature of our area within a stipulated period of time fixed by this Court.

For Petitioner : Mr.A.Deivasigamani
For Respondents : Mr.M.S.Arasakumar
Govt. Advocate for R1 to R3 & R7

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.A.Deivasigamani, learned counsel on record for writ petitioner, is before us.

3.Adverting to a representations dated 17.10.2024 and 25.11.2024 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Government land in survey number 247/4B, Solasiramani Village, Paramathi Velur Taluk, Namakkal District' [hereinafter 'said land' for the sake of convenience



W.P.No.17645 of 2025

and clarity] by R4 to R6 before us. To be noted, R4 to R6 are private respondent/s.

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 ordering notice to official respondents (RR1 to 3) and putting in a safety valve / adequate protection *qua* alleged encroachers *i.e.*, R4 to R6.

5.Issue notice to official respondents, *i.e.*, RR 1 to 3.

6.Mr. M.S.Arasakumar, learned Government Advocate, accepts notice for RR 1 to 3.

7.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.

8.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 /



W.P.No.17645 of 2025

monitoring system *qua* Government lands.

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9.This Court *suo-motu* impleads Revenue Divisional Officer, Tiruchengode, Namakkal District as R7 in the captioned WP and Mr.Arasakumar, learned Government Advocate accepts notice for R7 also.

10.In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by R7 *qua* said GO.

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

12.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). In this regard, we are acutely conscious that the matter is being disposed of in Admission Board without notice to alleged encroachers and therefore, this safety valve is put in place. 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



W.P.No.17645 of 2025

within a period of 16 weeks from today *i.e.*, by 22.09.2025.

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13.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.

14.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.

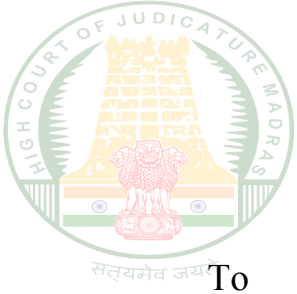
15.Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
02.06.2025

Index : Yes / No

Neutral Citation : Yes / No

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W.P.No.17645 of 2025

To
WEB COPY

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District Collector Office
Namakkal
2. The Thasildhar
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W.P.No.17645 of 2025

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W.P.No.17645 of 2025

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