



W.P. No.13715 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P.No.13715 of 2021

B. Ramesh

Petitioner

vs.

1. The District Collector
Thiruvallur District
Thiruvallur
2. The District Revenue Officer
Thiruvallur District
3. The Revenue Divisional Officer
Ponneri Taluk
Ponneri
4. The Tahsildar
Ponneri Taluk
Ponneri 601 204
5. The Superintendent of Police
Thiruvallur District
6. The Executive Officer
Minjur Town Panchayat
Minjur 601 203
7. Socrates

Respondents

(R7 *suo motu* impleaded *vide* order dated
13.07.2021)

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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to remove the encroachments found in S.No.237/2 in the nature of shops in the Government land at the entrance of D.V.S. Nagar, Minjur Town Panchayat following the due process of law as under the provisions of Tamil Nadu Removal of Encroachment Act based on the petitioner's representation dated 23.12.2020.

For petitioner	Mr. P. Elayaraj Kumar for Mr. P. Paramasiva Doss
For RR 1-4 & 6	Mr. T.K. Saravanan Additional Government Pleader
For R5	Mr. M. Babu Muthu Meeran Addl. Public Prosecutor
For R7	Mr. M. Thamizhavel

ORDER

[made by M.SUNDAR, J.]

This order will now dispose of the captioned 'Writ Petition' ['WP' for the sake of brevity].

2. Mr. P. Elayaraj Kumar, learned counsel representing Mr.P.Paramasiva Doss, learned counsel on record for writ petitioner, is before us.

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3. Adverting to a representation dated 23.12.2020 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'S.No. 237/2 in the nature of shops in the Government land at the entrance of D.V.S. Nagar, Minjur Town Panchayat' [hereinafter 'said land' for the sake of convenience and clarity] by R7 before us. To be noted, R7 is a private respondent.

4. 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 main WP was taken up.

5. It was submitted by learned Additional Government Pleader that G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 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 R3 *qua* G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022.

7. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land. The Divisional Monitoring Committee shall also ensure that adequate and ample opportunity is given to persons concerned, more particularly alleged encroacher (R7) before taking a call. To be noted, all the rights and contentions of alleged encroacher 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.

8. The Divisional Monitoring Committee *qua* G.O. (Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022, shall (if it comes to the conclusion that there is encroachment) report the encroachment for further action (for removal of encroachment which again shall be after giving adequate and ample



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opportunity to alleged encroacher). The entire exercise shall be completed within a period of 12 weeks from today *i.e.*, by 27.06.2025.

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.) (K.G.T., J.)
04.04.2025

cad
Index : Yes/No
NC : Yes/No

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and

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cad

To

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