



W.P.No.16974 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

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CORAM:
THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.16974 of 2025

R. Govindaraj

Petitioner

vs.

1. The District Collector
Office of the District Collector
Namakkal

2. The Tahsildar
Office of Tahsildar
Rasipuram
Namakkal District

3. The Revenue Inspector
Mullukkurichi
Namakkal District

4. Thangam

5. Poonkodhai

Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus directing the respondents 1 to 3
to remove the encroachment caused by respondents 4 and 5 over the
poramboke land comprised in S.F.No.58/3, Karkoodalpatti Bit I,
Rasipuram Taluk, Namakkal District by considering the petitioner's
representation dated 09.10.2023 within a time frame.

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For petitioner
For RR 1 to 3

Mr. R. Nalliyappan
Mr. T.K. Saravanan
Addl. Govt. Pleader

ORDER

[made by M.SUNDAR, J.]

Captioned 'writ petition' (hereinafter 'WP' for the sake of brevity)

has been filed alleging inaction *qua* proceedings under 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' (for brevity 'said 1905 Act') though show cause notice dated 30.01.2025 under Section 7 of said 1905 Act has already been issued to R4 (private respondent - Thangam).

2. To be noted, subject matter of captioned WP is S.F.No.58/3, Karkoodalpatti Bit I, Rasipuram Taluk, Namakkal District.

3. Issue notice to official respondents (RR 1 to 3) for the present.

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for official respondents and submits, on instructions, that Section 7 notice has been issued to R4, R4 has responded to the same *i.e.*, showed cause, the same is under active



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consideration and orders will be made by R2 under Section 6 of said 1905 Act as expeditiously as the official business of R2 would permit but in any event within a fortnight from today *i.e.*, on or before 16.06.2025.

5. Learned counsel for writ petitioner submits that recording of the aforesaid stated position of the learned State counsel would douse the anxiety of the writ petitioner.

6. We record the aforesaid stated position of the learned State counsel as an undertaking given to this Court.

7. Though obvious, we make it clear that all the rights and contentions of R4 and/or any other noticee stand preserved and this order does not impinge upon the rights of the private respondents and/or any other noticee. Therefore, there is no impediment in dispensing with notice to private respondents and taking up the captioned WP with the consent of the learned State counsel and learned counsel for writ petitioner. We do so.



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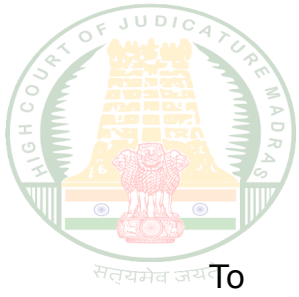
8. Captioned WP stands disposed of in the aforesaid manner.

There shall be no order as to costs.

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

cad
Index : Yes / No
Neutral Citation : Yes / No



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