



W.P.No.22525 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 16.07.2025

CORAM

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

W.P.No.22525 of 2024

S.Nasima Banu

... Petitioner

Vs.

1. The District Collector
Tiruvarur District
Tiruvarur

2. The Tahsildar
Taluk Office
Thiruthuraipoondi
Tiruvarur District

3. Marimuthammal

4. Kamatchi

5. Gangabalan

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Mandamus directing respondents 1 to 2 herein to

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remove the encroachment made by Respondents 3 to 5 herein in the 15 feet road, namely Mettu Street in Survey Number 183, situated in Pamani Village within the Pamani Panchayat limit, Thiruthuraipoondi Taluk, Tiruvarur District so as to have a free ingress and egress and easy access by four wheeler vehicles and heavy vehicles.

For Petitioner : Mr.S.Nagarajan

For Respondents : Mr.T.K.Saravanan
Addl. Govt. Pleader for R1 and R2

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.S.Nagarajan, learned counsel on record for writ petitioner and Mr.T.K.Saravanan, learned Additional Government Pleader for R1 and R2 are before us.



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3. The 'Removal of Encroachment' ['RoE'] prayer in the captioned WP

is qua S.No.183, Pamani Village, Thiruthuraipoondi Taluk, Tiruvarur District' [hereinafter 'said entire land' for the sake of convenience].

4. Learned State counsel, on instructions, submits that S.No.183 has since been sub-divided and numbers are assigned as S.Nos.183/1 to 183/9. It is further submitted by learned State counsel that 'S.Nos.183/1, 183/2 and 183/3 in Pamani Village, Thiruthuraipoondi Taluk, Tiruvarur District' [hereinafter 'said lands' for the sake of convenience] are Government lands, the same having been classified as 'Government Poramboke lands'. We make it clear that instant order is confined only to said lands.

5. 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



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valve / adequate protection qua alleged encroachers i.e., R3 to R5.

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6. 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.

7. 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, Mannargudi *qua* said GO.

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

9. 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



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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 22.10.2025.

10. 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.

11. 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.



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12. 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

gpa

To

1. The District Collector
Tiruvarur District
Tiruvarur

2. The Tahsildar
Taluk Office
Thiruthuraipoondi
Tiruvarur District

3. The Revenue Division Officer
Mannargudi



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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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