



WEB COPY

W.P.No.25037



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

AND

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.25037 of 2025

P.Balamurugan

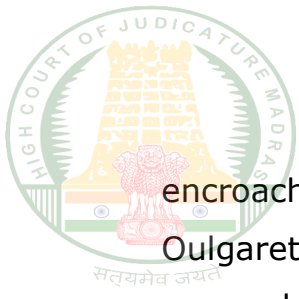
Petitioner

vs.

1. The District Collector,
1st Floor, New Collectorate Building,
Vazhuavoor Road,
Puducherry – 605 006.
2. The Sub Collector (Revenue) North,
No.505, Revenue Complex,
2nd Floor, New Saram,
Puducherry – 605 013.
3. The Estate Officer-cum-Commissioner,
No.2, Jawahar Nagar,
Puducherry – 605 005.
4. The Tahsildar,
Ourlgaret Taluk Office,
E.C.R. Road, Puducherry – 605 008.
5. Indira
6. Koppurindevi
7. Saraswathi

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 3 to remove the



encroachment in R.S.Nos.27/3 and 26/1 of Thattanchavady Revenue Village, Oulgaret Municipality, Puducherry in pursuance of the order of the fourth respondent dated 16.12.2024 within a time frame that may be fixed by this Court.

For Petitioner Mr. P.Sudagar
and Mr.J.Sivadasan

For RR 1 to 4 Mr. R.Sreedhar
Addl. Govt. Pleader (Pondy)

ORDER

(made by M. SUNDAR, J.)

Subject matter of captioned main 'Writ Petition' ['WP' for the sake of brevity] is alleged encroachment on the 'pathway in R.S.Nos.27/3pt, 26/1pt of Thattanchavady Revenue Village, Jeeva Street Extension, Muthirapalayam, Puducherry' [hereinafter 'said land ' for the sake of convenience and clarity].

2. Request for removal of aforereferred alleged encroachment has not yielded results and that has necessitated captioned WP is the submission of learned counsel for writ petitioner.



3. Mr.P.Sudagar and Mr.J.Sivadasan, learned counsel for writ petitioner and Mr.R.Sreedhar, learned Additional Government Pleader (Pondicherry) for RR 1 to 4, are before us.

4. Learned State counsel for RR 1 to 4 submits that survey is in the anvil and depending on the survey outcome, action for removal of encroachment (if found) will be initiated under appropriate/applicable statute.

5. We make it clear that while carrying out the aforesaid exercise, RR 5 to 7 (private respondents) and / or any other encroacher/s will be put on notice/show caused, given an opportunity and action will be subject to and depending on cause shown / response of noticee/s. Therefore, captioned WP is taken up with the consent of learned counsel for writ petitioner and learned State counsel, dispensing with notice to RR 5 to 7. Though obvious, it is made clear that this order does not touch upon the rights of RR 5 to 7 and / or any other noticee/s when they are proceeded against under appropriate/applicable statute. This means that all the rights and contentions of RR 5 to 7 and/or any other noticee/s remain preserved for responding suitably when show caused / visited with notices. Though obvious, for the sake of specificity, it is clarified that this Court, in instant



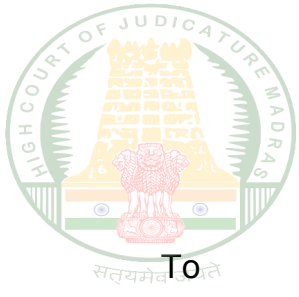
order, has not expressed any view or opinion one way or the other regarding alleged encroachment *qua* said land.

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6. In the light of the narrative thus far, captioned WP is disposed of in the aforesaid manner, recording the stated position of learned State counsel for RR 1 to 4 that survey will be done within a period of eight weeks from today, *i.e.*, on or before 04.09.2025 and action, if any, under appropriate/applicable statute, will be commenced as expeditiously as the business of official respondents would permit but in any event within a period of six weeks therefrom *i.e.*, on or before 16.10.2025. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
10.07.2025

mmi
Index : Yes/No
NC : Yes/No



W.P.No.2503



To

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M. SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

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