



W.P.No.16914 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 18.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P.No.16914 of 2021

K.Marimuthu
S/o.Kali

... Petitioner

VS

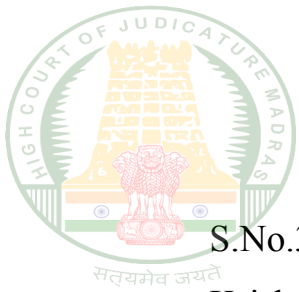
1. The Block Development Officer
Uthangarai
2. The Tahsildar
Uthangarai.
3. The President
Singarapettai Village Panchayat
Uthangarai Taluk,
Krishnagiri District.

4. Krishnaveni
D/o.K.Muthammal & Kaveri

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Mandamus directing the respondents to remove
the encroachment made by the 4th respondent in the public street in

Page Nos.1/6



W.P.No.16914 of 2021

S.No.37/18 of Ambedkar Colony, Singarapettai Village, Uthangarai Taluk, Krishnagiri District, on the basis of the communication of the 1st respondent in Ref.No.Na.Ka.No.4161/2019/E2 dated 18.06.2021 within a time frame.

For Petitioner : Mr.B.Krishnakanth
representing Mr.P.M.Jayachandran

For Respondents : Mr.M.S.Arasakumar
Government Advocate, for R1 & R3
Mr.T.K.Saravanan
Additional Government Pleader
for R2
Ms.V.Suguna
representing Mr.C.Munusamy, for R4

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.B.Krishnakanth, learned counsel representing counsel on record for writ petitioner is before us.

3. Adverting to a representation dated 16.08.2015, learned counsel for writ petitioner submitted that there is alleged encroachment in 'the public street in S.No.37/18 of Ambedkar Colony, Singarapettai Village, Uthangarai



W.P.No.16914 of 2021

Taluk, Krishnagiri District' [hereinafter 'said land' for the sake of convenience and clarity] by R4 before us. To be noted, R4 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, main WP was taken up.

5. It was submitted by learned State Counsel 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.

6. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by the Revenue Divisional Officer, Revenue Divisional Office, Krishnagiri 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



W.P.No.16914 of 2021

WEB COPY

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 (R4) before taking a call. 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 its 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 opportunity to alleged encroacher). The entire exercise shall be completed within a period of twelve weeks from today i.e., by 10.06.2025.

9. It is open to the WP 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 are any change of circumstances.

10. We make it clear that we have not expressed any view or opinion



W.P.No.16914 of 2021

WEB COPY

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.)

18.03.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking order

mk



WEB COPY



W.P.No.16914 of 2021

**M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

mk

To

1. The Block Development Officer
Uthangarai.
2. The Tahsildar
Uthangarai.
3. The President
Singarapettai Village Panchayat
Uthangarai Taluk,
Krishnagiri District.
4. The Revenue Divisional Officer
Krishnagiri.

W.P.No.16914 of 2021

18.03.2025

Page Nos.6/6