



WEB COPY

WP.No.22051 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.22051 of 2025

P.N.Selvam

S/o Late P.L.Narasimman

...Petitioner

Vs.

1. The Block Development Officer,
Kolaththur Union office,
Kolathur, Mettur Taluk,
Salem District - 636 3030.
2. The Village President,
Pannavadi Panchayat Office,
Pannavadi, Kolathur, Mettur Taluk,
Salem District - 636 303.
3. The Tahsildar,
Tahsildar Office, Mettur Taluk,
Salem District - 636 401.
4. The Sub-Collector,
Sub-Collector Office,
Mettur, Salem District - 636 401.
5. The Assistant District Rural Development Officer,
Collectorate,
Salem District - 636 001.

...Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus to direct the respondents 1 to 5 to remove the unauthorized illegal construction made by the 1st respondent in Survey No.65/5, situated at Dinnappatti Village, Mettur Taluk, Salem District on considering the petitioner's representation dated 09.12.2024.

For Petitioner : Mr.A.Kumar

For Respondents : Mr.M.Venkateswaran
Special Govt.Pleader

ORDER

(The order of the Court was made by J.Nisha Banu,J.)

This Writ Petition has been filed to direct the respondents 1 to 5 to remove the unauthorized illegal construction made by the 1st respondent in Survey No.65/5, situated at Dinnappatti Village, Mettur Taluk, Salem District on considering the petitioner's representation dated 09.12.2024.

2. i) The case of the petitioner is that he is a farmer having agricultural land in Survey No.65/5 and S.No.65/3 in Dinnappatti village. he is doing active cultivation in the said land. He does not own any other agricultural land except the said land and he is solely dependent upon the income derived from the cultivation of the said land.

ii) The 1st respondent has constructed C.C.Check Dam in



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S.No.65/2 which belongs to one Mr.Prakasam, S/o Narasimha Reddy. The 1st respondent after obtaining concurrence from the said Prakasam constructed the C.C.Check dam. but the 1st respondent has wrongly constructed the above said C.C.Check dam in the petitioner's land in S.No.65/5 at about 15 cents without obtaining his consent or paying any compensation to him. Because of the illegal construction, the petitioner is seriously affected as the entire rain water runs through his land and washes away entire crops namely Chilli, groundnut and cotton causing huge loss to him. The petitioner is unable to carry out any cultivation in the encroached portion of 15 cents in S.No.65/5. The petitioner made representation dated 09.12.2024 to the 1st to 5th respondent to remove the unauthorised and illegal construction made by the 1st respondent but till date no steps have been taken to remove the same. Hence, the present writ petition.

3. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. Though the petitioner has come out with a larger prayer, considering the above submissions made by the learned counsel for the



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petitioner, we are of the opinion that it would be suffice if the 4th respondent is directed to dispose of the representation of the petitioner.

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Therefore, without going into the merits of the claim made by the petitioner in this writ petition, we direct the 4th respondent to consider the representation of the petitioner dated 09.12.2024 and pass appropriate orders on the same on merits and in accordance with law, after giving due opportunity of personal hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. No costs.

[J.N.B.,J.] [M.J.R.,J.]
27.06.2025

vsi

Speaking order/Non-speaking order
Neutral Citation: Yes/No

To

1. The Block Development Officer,
Kolaththur Union office,
Kolathur, Mettur Taluk,
Salem District - 636 3030.
2. The Village President,
Pannavadi Panchayat Office,
Pannavadi, Kolathur, Mettur Taluk,
Salem District - 636 303.



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3. The Tahsildar,
Tahsildar Office, Mettur Taluk,
Salem District - 636 401.
4. The Sub-Collector,
Sub-Collector Office,
Mettur, Salem District - 636 401.
5. The Assistant District Rural Development Officer,
Collectorate,
Salem District - 636 001.



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AND
M.JOTHIRAMAN,J.

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