



W.P.No.20578 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.20578 of 2025

and

W.M.P. No.23208 of 2025 in W.P. No.20578 of 2025

R.Elumalai

... Petitioner

Vs.

- 1.The District Collector,
Villupuram District,
Collector Office Road,
Moovendar Nagar,
Villupuram – 605 602.
- 2.The Tahsildar,
Melmalaiyanur Taluk,
Villupuram District - 604 204.
- 3.The Block Development Officer,
Melmalaiyanur Taluk,
Villupuram District – 604 201.
- 4.The Village President
Theppirampattu Village Panchayat,
Melmalaiyanur Taluk,
Villupuram District – 604 204.

5.H.Arjunan

... Respondents

Page Nos.1/7



W.P.No.20578 of 2025

WEB COPY

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order issued on 30.09.2024 in Na.Ka.Number AA2/2045/2021 on the file of the 3rd respondent and quash the same and consequently direct the respondents to remove the illegal encroachments and construction made by the 5th respondent in Survey No. 222/16, Theppirampattu Village, Melmalaiyanur Taluk, Villupuram District.

For Petitioner : Mr.R.Pravesh
for M/s. P.B.Ramanujam Associates

For Respondents : Mr.M.S.Arasakumar
Government Advocate
for R1, R2 & R4
Mr.K.Suresh
Government Advocate for R3

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 11.06.2025 which reads as follows:

*'IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.06.2025
CORAM
THE HONOURABLE MR. JUSTICE M.SUNDAR
and*



WEB COPY



W.P.No.20578 of 2025

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.20578 of 2025 and W.M.P.No.23208 of 2025

R. Elumalai

Petitioner

vs.

The District Collector
Villupuram District
Collector Office Road
Moovendar Nagar
Villupuram - 605 602 and 4 others

Respondents

For petitioner

Mr. R. Pravesh
for M/s.P.B.Ramanujam Associates

For RR 1 to 4

Mr. T.K.Saravanan
Addl. Government Pleader

ORDER

[made by M.SUNDAR, J.]

Though a very expansive prayer has been made in the captioned writ petition, after hearing Mr. R. Pravesh, learned counsel of M/s. P.B.Ramanujam Associates (Law Firm), learned counsel on record for writ petitioner, it comes to light that the short point is, whether alleged encroachment by R5 (Arjunan) in Survey No.222/16, Theppirampattu Village, Melmalaiyanur Taluk, Villupuram District (hereinafter 'said land' for the sake of convenience and clarity), has been removed.

2. From the submissions and case file, it comes to light that if the answer is in the affirmative, writ petitioner gets access and if it is in the negative, further orders may be necessary.

3. Issue notice to official respondents (RR 1 to 4).



WEB COPY



W.P.No.20578 of 2025

4. *Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for official respondents (RR 1 to 4) and requests for a short accommodation to get instructions on the above point and revert to this Court.*

5. *List under the cause list caption 'NOTICE REGARDING ADMISSION' in the Admission Board, i.e., Motion List, one week hence.*

6. *List on 18.06.2025.'*

2. Today, Mr.R.Pravesh of M/s.P.B.Ramanujam Associates (Law Firm), learned counsel for writ petitioner asserts that part of the encroachments qua said land have not been removed but learned State counsel submits to the contrary.

3. Be that as it may, writ petitioner's case is, R5/private respondent is the alleged encroacher. We express no opinion on this allegation and preserve all the rights and contentions of R5 if he is show caused.

4. There shall be survey of said land by R2 after putting on notice writ petitioner, R5 and any other person who may be interested/concerned. This exercise shall be completed within eight



W.P.No.20578 of 2025

weeks from today i.e., on or before 13.08.2025. Survey report shall be drawn up by R2. In the survey report, if any encroachment is noticed either by R5 or by any other person, learned State counsel submits that appropriate action for removal of encroachment under applicable statute by putting on notice the parties concerned will be commenced within six weeks therefrom i.e., on or before 24.09.2025. As much as we have preserved the rights and contentions of R5, we preserve the rights of any other person who may be show caused or any other possible noticee.

5. Captioned WP is disposed of with the aforesaid observation/directive i.e., in the aforesaid manner. Consequently, captioned Writ Miscellaneous Petition (WMP) thereat is disposed of as closed. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
18.06.2025

Index : Yes / No
Neutral Citation : Yes / No
mmi



W.P.No.20578 of 2025

WEB COPY

To

- 1.The District Collector,
Villupuram District,
Collector Office Road,
Moovendar Nagar,
Villupuram – 605 602.
- 2.The Tahsildar,
Melmalaiyanur Taluk,
Villupuram District - 604 204.
- 3.The Block Development Officer,
Melmalaiyanur Taluk,
Villupuram District – 604 201.
- 4.The Village President
Theppirampattu Village Panchayat,
Melmalaiyanur Taluk,
Villupuram District – 604 204.



WEB COPY



W.P.No.20578 of 2025

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

mmi

W.P.No.20578 of 2025

18.06.2025