



W.P.No.18576 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.18576 of 2025

B. Ezhumalai

Petitioner

vs.

1. The District Collector
Collectorate, Villupuram
Villupuram District 605 602
2. The Revenue Divisional Officer-cum-Sub Collector
Tindivanam
Villupuram District 604 001
3. The Tahsildar
Tindivanam Taluk
Villupuram District 604 001
4. The Block Development Officer (Village Panchayat)
Olakkur Panchayat Union
Saram Village & Post
Tindivanam Taluk
Villupuram District 604 307
5. E. Venkatesan
6. V. Nagalingam
7. A. Ravi
8. A. Siva

Respondents



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Writ Petition filed under Article 226 of the Constitution of India

seeking a writ of mandamus directing the respondents 1 to 4 to remove the illegal encroachments made by the respondents 5 to 8 on stream (Government Land) comprised in Survey Nos.254/6 and 256/1, situated at, Olakkur Melpathi Village & Post, Tindivanam Taluk, Villupuram District and to restore the stream to its original shape and condition, within a time frame.

For petitioner	Mr. J. Agni Selvaraju
For RR 1 to 3	Mr. T.K. Saravanan Addl. Govt. Pleader
For R4	Mr. P. Gurunathan Addl. Govt. Pleader

ORDER

[made by M.SUNDAR, J.]

Subject matter of captioned 'writ petition' [hereinafter 'WP' for the sake of brevity] is alleged encroachment in 'a stream in S.Nos.254/6 and 256/1 in Olakkur Melpathi Village and Post, Tindivanam Taluk, Villupuram District' (hereinafter 'said lands' for the sake of convenience and clarity).



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2. Request for removal of aforementioned alleged encroachments by way of as many as four representations dated 29.07.2019, 07.09.2019, 25.11.2019 and 12.02.2025 has not yielded results and that has necessitated captioned WP, is the submission of Mr. J. Agni Selvaraju, learned counsel on record for writ petitioner.

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

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for RR 1 to 3 and Mr. P. Gurunathan, learned Additional Government Pleader, accepts notice for R4. Learned State counsel submit that survey of said lands will be done within a period of four weeks from today, *i.e.*, on or before 01.07.2025, and depending on the outcome of the survey, action for removal of encroachment (if found) will be commenced *vide* the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905) or any other appropriate / applicable statute, as expeditiously as the business of official respondents would permit but in any event within a period of four weeks therefrom, *i.e.*, on or before 29.07.2025. This submission is recorded.



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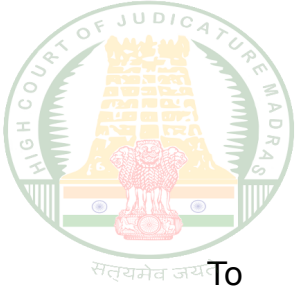
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5. Though obvious, we make it clear that all the rights and contentions of RR 5 to 8 (private respondents) stand preserved and this order does not impinge upon their rights. Therefore, there is no impediment in dispensing with notice to RR 5 to 8 and taking up the captioned WP with the consent of the learned State counsel and learned counsel for writ petitioner. We do so.

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. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
03.06.2025

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