



WEB COPY



W.P.No.19519 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.05.2025

CORAM :

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

AND

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P.No.19519 of 2025 and
W.M.P.Nos.21824 and 21826 of 2025

Kavitha
D/o.Ganapathi,
No.14,Mariyamman Koil Street,
S.S.R.Palayam, Vakkur Post,
Vikravandi Taluk,
Villupuram District.

Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Principal Secretary to
Government Revenue (A1)
Department, Fort St. George,
Chennai- 600 009.
- 2.The District Collector
Villupuram District,
Ariyalur.



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3.The Tahsildar
Vikravandi Taluk, Vikravandi,
Villupuram District.

4. Alamelu
W/o.Perumal,
S.S.R.Palayam,Vakkur Post,
Vikravandi Taluk,
Villupuram District.

Respondents

PRAYER Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 05.05.2025 in Na.Ka.No.A2/1727/2024 issued by the 3rd Respondent and quash the same and consequently direct the 3rd respondent to make correction in the FMB in S.No.19 in pursuant to the petitioner's proceedings dated 19.01.2024 in Na.Ka.No. A2/111/ 2024.

For Petitioner: Mr.V.Sivaraman

For Respondents: Mr.T.K.Saravanan
Additional Government Pleader
for R1 to R3

ORDER

(Order of the Court was made
by *Senthilkumar Ramamoorthy, J.*)

The petitioner assails an order dated 05.05.2025. The petitioner asserts that she is in occupation of natham land and



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that the official respondents are not entitled to initiate action against the petitioner under the Tamil Nadu Land Encroachment Act, 1905.

2. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice on behalf of respondents 1 to 3.

3. On perusal of the impugned order, it appears that the order has been issued entirely on the basis of the earlier order dated 10.12.2024 in W.P.No.36772 of 2024, which was filed by respondent No.4 herein. The said order makes it clear that no view or opinion has been expressed as to whether there is encroachment or not on the said land. Without conducting enquiry to ascertain as to whether there was an encroachment or not, it appears that the impugned order was issued purportedly on the basis of the order dated 10.12.2024. Therefore, the impugned order cannot be sustained.



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4. For reasons aforesaid, the impugned order dated 05.05.2025 is quashed by leaving it open to the official respondents to initiate action in terms of G.O.(Ms) No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 and the Tamil Nadu Land Encroachment Act, 1905, after providing a reasonable opportunity to the petitioner and the fourth respondent.

5. The writ petition is disposed of in terms aforesaid. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.K.R., J.)

(T.V.T.S., J.)

28.05.2025

Index : No
Neutral Citation : No
bbr/vum



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To

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- 3.The Tahsildar,
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and
T.V.THAMILSELVI, J.

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