



WEB COPY



W.P.No.23271 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.23271 of 2025

B.Gopinath

... Petitioner

Vs.

1.The District Collector,
Thiruvarur District,
Collectorate, Master Plan Complex,
Nagapattinam Road,
Thiruvarur – 610 004.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
South Main Street,
Thiruvarur – 610 004.

3.The Tahsildar,
Taluk Office,
Valangaiman & Post,
Thiruvarur District.

4.N.Vijay

.. Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Mandamus to direct the respondents 1 to 3
herein to take action on the petitioner's representation/lawyer's notice

Page Nos.1/5



W.P.No.23271 of 2025

dated 08.02.2025 to remove the encroachments made by the fourth respondent in Pathai Porambokku (pathway porambokku) in R.S.No.117B/6A at Vadakkupattam Village, Valangaiman Taluk, Thiruvarur District or direct the third respondent to take action on the petitioner's representation as per the directions issued by the respondents 1 and 2 herein dated 03.03.2025 and 21.02.2025 respectively.

For Petitioner : Mr.A.Muthukumar

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

ORDER

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

Subject matter of captioned 'Writ Petition' [hereinafter 'WP' for the sake of brevity] is alleged encroachment in 'R.S.No.117B/6A at Vadakkupattam Village, Valangaiman Taluk, Thiruvarur District' (hereinafter 'said land' for the sake of convenience and clarity)

2. Request for removal of aforereferred alleged encroachment by way of a representation dated 08.02.2025 has not yielded results and that has necessitated captioned WP, is the submission of learned counsel for writ petitioner.



W.P.No.23271 of 2025

WEB COPY

3. Issue notice to official respondents.

4. Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for R1 to R3.

5. Learned State counsel submits that survey of said land will be done within a period of six weeks from today, *i.e.*, on or before 08.08.2025, 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 under the Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002) or any other appropriate / applicable statute as expeditiously as the business of official respondents would permit but in any event within a period of six weeks therefrom, *i.e.*, on or before 19.09.2025. This submission is recorded.

6. Though obvious, we make it clear that all the rights and contentions of R4 stand preserved and this order does not impinge upon his rights. Therefore, there is no impediment in dispensing with notice to private respondent and taking up the captioned WP with the

Page Nos.3/5



W.P.No.23271 of 2025

consent of the learned State counsel and learned counsel for writ petitioner. We do so.

7. 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.)
27.06.2025

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

To

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Page Nos.4/5



WEB COPY



W.P.No.23271 of 2025

**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**
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W.P.No.23271 of 2025

27.06.2025