



W.P.No.20783 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 11.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.20783 of 2021
and
W.M.P.Nos.29872, 25711, 29870, 29871 and 22050 of 2021

R.Hariharan
S/o.B.Ramaswamy Naidu

... Petitioner

VS.

1. The District Collector
Tiruvannamalai.
2. The Revenue Divisional Officer
Tiruvannamalai.
3. The Tahsildar
Thandarampattu Taluk
Tiruvannamalai District.
4. The Block Development Officer
Thandarampattu Taluk
Tiruvannamalai District.
5. The Village Administrative Officer
Bondai Village, Thandarampattu Taluk
Tiruvannamalai District.
6. The President
Panchayat Union
Thandarampattu Taluk
Tiruvannamalai District.

Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, to direct the respondents herein from proceeding any further pursuant to the peace committee meeting held on 26.08.2021 in the office of the 3rd respondent by allowing a section of villagers in Bondai Village, Thandarampattu Taluk, Tiruvannamalai District proceeding with any further construction and open up the "Madurai Veeran Temple" which is built on the public road in Survey No.282/1 leading to the agricultural lands and houses of the villagers of the Bondai Village, Thandarampattu Taluk, Tiruvannamalai District and remove the encroachments as undertaken before this Hon'ble Court and recorded by this Court in W.P.No.28395 of 2016 dated 24.08.2016.

For Petitioner : Ms.G.P.Bhargavi

For Respondents : Mr.T.K.Saravanan
Additional Government Pleader

ORDER

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

This order will now dispose of the captioned 'Writ Petition' ['WP' for the sake of brevity].



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2. Ms.G.P.Bhargavi, learned counsel for writ petitioner, who is before this Court expresses regret for missing the matter in the previous listing.

3. Mr.T.K.Saravanan, learned Additional Government Pleader for respondents is before us.

4. Adverting to representations dated 03.03.2016 and 27.06.2016, from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Old Survey No.73 and New Survey No.282/1, Bondai Village, Thandampattu Taluk, Tiruvannamalai District' [hereinafter 'said land' for the sake of convenience and clarity].

5. Considering the facts and circumstances of the case in juxtaposition with G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 {hereinafter 'said GO' for the sake of convenience} which puts in place a removal of encroachment procedure *inter-alia* giving opportunity to encroacher/s, we are of the view that the captioned WP can be disposed of by putting in a safety valve / adequate



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protection qua encroacher/s.

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6. It was submitted by learned State counsel that said GO has been put in place, wherein and whereby Divisional Monitoring Committee, District Monitoring Committee and State Steering Committee have been constituted *inter alia* for a single point reporting / monitoring system *qua* Government lands.

7. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by the Revenue Divisional Officer, Tiruvannamalai District *qua* said GO.

8. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land.

9. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment) report the encroachment to appropriate authorities concerned for further action (for removal of



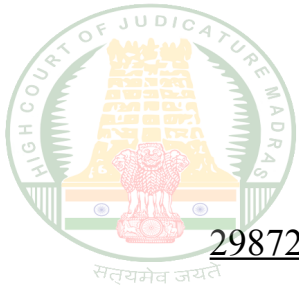
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encroachment). To be noted, all the rights and contentions of encroachers are preserved for being raised before the Committee concerned which shall consider the same on their own merits and in accordance with law untrammelled by this proceedings in this Court. The entire exercise shall be completed within a period of 14 weeks from today *i.e.*, by 17.09.2025.

10. It is open to the writ petitioner and or anyone concerned with this matter to come to this Court on the same issue even with a similar / same prayer if there is any change of circumstances.

11. We make it clear that we have not expressed any view or opinion as to whether there is encroachment or not *qua* said land as it turns on facts and it is for the Divisional Monitoring Committee to take a call on this aspect of the matter. We also make it clear that this exercise will not apply to patta land and it will apply only to public land, if there is any encroachment in public land.

12. With regard to implead petitions i.e., W.M.P.Nos.29870, 29871,



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29872 and 25711 of 2021, notice shall be issued by the Divisional Monitoring Committee to the implead petitioners i.e., Mani, Son of Gopal (petitioner in W.M.P.No.29870 of 2021), P.Ramesh, Son of Perumal (petitioner in W.M.P.No.29871 of 2021), P.Govindasamy, Son of Peththaan (petitioner in W.M.P.No.29872 of 2021) and K.Sankar, Son of Kannan (petitioner in W.M.P.No.25711 of 2021) and they should also be given an opportunity. With this observation, W.M.P.Nos.29870, 29871, 29872 and 25711 of 2021 in W.P.No.20783 of 2021 are disposed of as closed.

13. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. Consequently, W.M.P.No.22050 of 2021 is closed. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

11.06.2025

Index : Yes / No

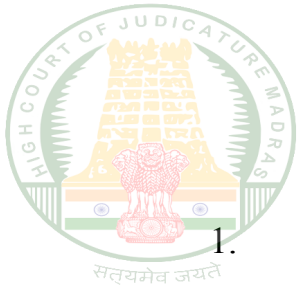
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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