



WEB COPY



W.P.No.22862 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

CORAM

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.22862 of 2025

S.Kaliyaperumal

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore, Cuddalore District.
- 2.The Assistant Director (Panchayats),
Virudhachalam, Cuddalore District.
- 3.The Revenue Tahsildar,
Tahsildar Office, Tittakudi,
Cuddalore District.
- 4.The Block Development Officer,
Mangalore Taluk, Virudhachalam,
Cuddalore District.
- 5.S.Tamil Selvi
- 6.V.Marudhamuthu
- 7.Selvi
- 8.Perimila

.. 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

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to remove the encroachment made by the respondents 5 and 6 in the light of the proceedings passed by the Respondent No. 2 in Na.Ka. No. A3 / 010 / 2024, dated 16.08.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.P.Santhosh
for Mr.T.Dharani

For Respondents : Mr.M.S.Arasakumar,
Government Advocate for R1 to R3
Mr.K.Surendran,
Additional Government Pleader
for R4

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 Survey No.146, Paver Block Road, Venkanur Panchayat, Mangalore Panchayat Union, Cuddalore District' (hereinafter 'said land' for the sake of convenience and clarity)

2. Request for removal of aforereferred alleged encroachment/s by way of a representation dated 26.07.2024 has not yielded results and that has necessitated captioned WP, is the submission of learned counsel for writ petitioner.

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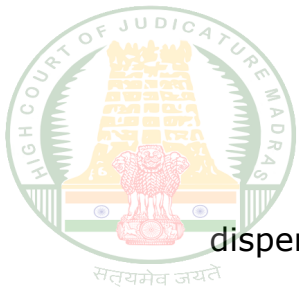
3. Issue notice to official respondents.

4. Mr.M.S.Arasakumar, learned Government Advocate accepts notice for R1 to R3 and Mr.K.Surendran, learned Additional Government Pleader accepts notice for R4.

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 06.08.2025, 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 17.09.2025. This submission is recorded.

6. Though obvious, we make it clear that all the rights and contentions of R5 to R8 stand preserved and this order does not impinge upon their rights. Therefore, there is no impediment in

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dispensing with notice to private respondents and taking up the captioned WP with the 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.)
25.06.2025

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

To

- 1.The District Collector,
Cuddalore, Cuddalore District.
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Virudhachalam, Cuddalore District.
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- 4.The Block Development Officer,
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**
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