



WEB COPY



W.P.No.22905 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR

and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.22905 of 2025

S. Sivakumar

Petitioner

vs.

1. The District Collector
Salem District
Salem 636 001
2. The Divisional Engineer
Highways Department
Construction and Maintenance
Salem
3. The Divisional Engineer
Highways Department
Construction and Maintenance
Sankagiri
4. Chinna Pillai
5. Papathi Ammal

Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus directing the second respondent
to consider the petitioner's representation dated 15.04.2025 to take
action against the encroachers.

Page Nos.1/6



W.P.No.22905 of 2025

WEB COPY

For petitioner Mr. J. Sudhakaran
For RR 1 to 3 Mr. T.K. Saravanan
Additional Government Pleader

ORDER

[made by M.SUNDAR, J.]

Subject matter of captioned 'writ petition' [hereinafter 'WP' for the sake of brevity] is alleged encroachment in 'S.No.123 at Pennagar, Sitharkoil, Kosavapatti Post, Sankari Taluk, Salem District' (hereinafter 'said land' for the sake of convenience and clarity)

2. Writ petitioner's request for removal of aforereferred alleged encroachment by way of representation dated 15.04.2025 has not yielded results and that has necessitated captioned WP, is the submission of Mr.J.Sudhakaran, learned counsel for writ petitioner.

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



W.P.No.22905 of 2025

WEB COPY

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for RR 1 to 3. 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 07.08.2025, after putting all concerned, including private respondents on notice, and depending on the outcome of the survey, action for removal of encroachment (if found) will be commenced *vide* the Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002) 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 18.09.2025. This submission is recorded.

5. Though obvious, we make it clear that all the rights and contentions of RR 4 and 5 stand preserved and this order does not impinge upon their rights. Therefore, there is no impediment in dispensing with notice to RR 4 and 5 and taking up the captioned WP with the consent of the learned State counsel and learned counsel for writ petitioner. We do so.

Page Nos.3/6



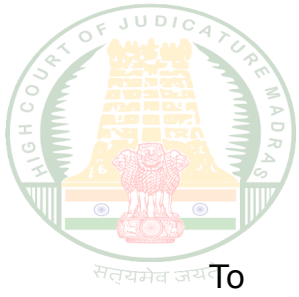
W.P.No.22905 of 2025

WEB COPY

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.)
26.06.2025

cad



W.P.No.22905 of 2025

To
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W.P.No.22905 of 2025

M.SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

cad

W.P.No.22905 of 2025

26.06.2025

Page Nos.6/6