



WEB COPY



W.P. No.25776 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.25776 of 2025

T. Balakumar

Petitioner

vs.

1. The District Collector
Collectorate
Erode District
Erode 638 001
2. The District Revenue Officer
Collectorate
Erode 638 001
3. The Superintendent Engineer
State Highways
TNRSP Scheme
Tirupur 641 604
4. The Tahsildar
Revenue Taluk Office
Erode

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the 1st respondent to consider the objections of the petitioner dated 09.01.2024 and 20.05.2025 with reference to conversion of poramboke land and grant of patta in

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respect of lands in R.S.No.110, Perode Village, Erode Taluk and take action in accordance with law in a time bound manner.

For petitioner Mr. S. Malarmannan
For respondents Mr. T.K. Saravanan
Additional Government Pleader

ORDER

[made by M.SUNDAR, J.]

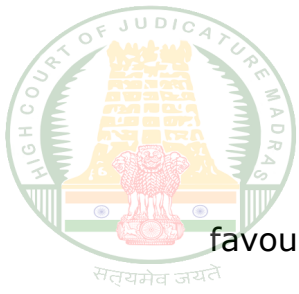
Captioned 'writ petition' [hereinafter 'WP' for the sake of brevity]

has been filed with a Removal of Encroachment (RoE) prayer *qua* 'R.S.No.110, Perode Village, Erode Taluk, Erode District' [hereinafter 'said land' for the sake of convenience and clarity].

2. Mr. S. Malarmannan, learned counsel on record for writ petitioner, submits that repeated representations to respondents as regards aforereferred RoE have not yielded results and that has necessitated the filing of the captioned WP.

3. Issue notice to respondents.

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for all four respondents and submits, on instructions, that assignment was made *qua* said land (assignment in



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favour of private individuals) but the same was cancelled for alleged violation of conditions but we express no view or opinion on cancellation of assignment.

5. Be that as it may, what is of relevance to the captioned WP is, learned State counsel submits that revenue classification of said land as of today is Government poramboke and proceedings for RoE under 'the Tamil Nadu Land Encroachment Act (Act III of 1905)' [hereinafter 'said 1905 Act' for the sake of convenience and clarity] is in the anvil and that the same would commence as expeditiously as the business of respondents would permit but in any event within four weeks from today *i.e.*, on or before 13.08.2025.

6. In the light of the limited scope of the captioned WP, this Court is of the considered view that recording the stated position of the learned State counsel will suffice for giving a closure to the captioned WP.

7. However, before doing so, we also deem it appropriate to record that learned State counsel submits that some of the encroachers are eligible for alternative site and the same would be considered.



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8. In this view of the matter, we also make it clear that any person who is put on notice *i.e.*, any noticee *qua* proceedings under said 1905 Act, which, according to learned State counsel, is in the anvil, will have all the questions and rights left open for responding when show caused. As all the rights and contentions of all possible noticees *qua* proceedings under said 1905 Act, which, according to learned State counsel, is in the anvil, are preserved, there is no impediment in taking up the captioned WP with the consent of learned counsel for writ petitioner and learned State counsel in the Admission Board, *i.e.*, Motion List, itself. We do so.

9. Captioned WP stands disposed of as closed recording the stated position of learned State counsel, albeit with preservation of rights, as alluded to *supra*. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
16.07.2025

cad
Index: Yes/No
N.C. : Yes/No

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M.SUNDAR, J.

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HEMANT CHANDANGOUDAR, J.

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