



W.P.No.24271 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.24271 of 2025

Shantha Anandan

... Petitioner

Vs.

1.The District Collector,
Kanchipuram District,
Kanchipuram – 631 501.

2.The District Revenue Officer,
Kanchipuram.

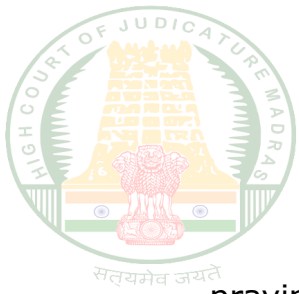
3.The Revenue Divisional Officer,
Kanchipuram – 631 501.

4.The Tahsildar,
Kanchipuram Taluk,
Kanchipuram District – 631 501.

5.The Block Development Officer,
Walajabad Block,
Kanchipuram District.

6.Danasekar @ Pasteur Anandan

... Respondents



W.P.No.24271 of 2025

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 5 to remove the encroachment of the 6th respondent from the vandipathai/cart track poramboke land comprised in Survey No.31/1 to an extent of 0.11.5 Ares, situated at Athivakkam Village, Enathur via, Kanchipuram Taluk and District by clearing the blockage of access to the dwelling house of the petitioner pursuant to her representation dated 28.05.2025 within a specified time limit.

For Petitioner : Mr.D.Murthy

For Respondents : Mr.T.K.Saravanan,
Additional Government Pleader
for R1 to R4
Mr.M.Venkateswaran,
Special Government Pleader for R5

ORDER

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

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

2. Mr.D.Murthy, learned counsel on record for writ petitioner, is before us.



W.P.No.24271 of 2025

3. Adverting to a representation dated 28.05.2025 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Survey No.31/1, Athivakkam Village, Enathur via, Kanchipuram Taluk and District, measuring to an extent of 0.11.5 Ares,' [hereinafter 'said land' for the sake of convenience and clarity] by R6 before us. To be noted, R6 is a private respondent.

4. 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 alleged encroacher, we are of the view that the captioned WP can be disposed of by ordering notice to official respondents (R1 to R5) and putting in a safety valve / adequate protection *qua* alleged encroacher *i.e.*, R6.

5. Issue notice to official respondents, *i.e.*, R1 to R5.

6. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice for R1 to R4 and Mr.M.Venkateswaran, learned Special Government Pleader accepts notice for R5.



W.P.No.24271 of 2025

WEB COPY

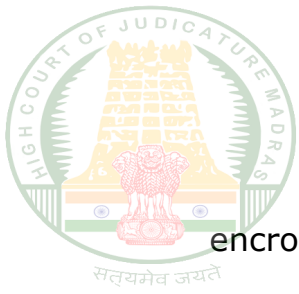
7. In the light of what has been alluded to *supra* and considering the limited scope of the captioned WP, with the consent of both sides, captioned WP was taken up.

8. 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.

9. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by Revenue Divisional Officer/Sub Collector, Kanchipuram *qua* said GO.

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

11. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment) report the



W.P.No.24271 of 2025

encroachment to appropriate authorities concerned for further action (for removal of encroachment). In this regard, we are acutely conscious that the matter is being disposed of in Admission Board without notice to alleged encroacher and therefore, this safety valve is put in place. To be noted, all the rights and contentions of alleged encroacher 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 13.10.2025.

12. 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.

13. 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.

Page Nos.5/7



W.P.No.24271 of 2025

WEB COPY

14. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.)

(H.C.J.)

07.07.2025

Index : Yes / No

Neutral Citation : Yes / No
mmi

To

- 1.The District Collector,
Kanchipuram District,
Kanchipuram – 631 501.
- 2.The District Revenue Officer,
Kanchipuram.
- 3.The Revenue Divisional Officer/Sub Collector,
Kanchipuram – 631 501.
- 4.The Tahsildar,
Kanchipuram Taluk,
Kanchipuram District – 631 501.
- 5.The Block Development Officer,
Walajabad Block,
Kanchipuram District.



WEB COPY



W.P.No.24271 of 2025

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

mmi

W.P.No.24271 of 2025

07.07.2025