



WEB COPY



W.P.No.31714 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

W.P.No.31714 of 2025

N.Punniakody

... Petitioner

Vs.

1.The Deputy Collector (Revenue) South,
Villianur, Puducherry – 605 110.

2.The Director,
Adi Dravidar Welfare Department,
Government of Puducherry,
Puducherry – 605 001.

3.Baskar

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Mandamus directing the respondents 1 and 2
to take immediate and appropriate action to remove the illegal
encroachment and construction made by the third respondent in the
reserved common area adjoining R.S.No.239, Plot No.174, Ambedkar
Nagar, Othiyampett Road, Villianur, Puducherry and further direct the



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respondents 1 and 2 to ensure that the house constructed by the third respondent strictly conforms to the approved plan and is confined within the original allotted plot.

For Petitioner : Mr.P.R.Thiruneelakandan
For Respondents : Mr.R.Sreedhar,
Additional Government Pleader
(Puducherry) for R1 and R2

ORDER

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

Subject matter of captioned main 'writ petition' [hereinafter 'WP' for the sake of brevity] is alleged encroachment in the 'reserved common area adjoining R.S.No.239, Plot No.174, Ambedkar Nagar, Othiyampett Road, Villianur, Puducherry' [hereinafter 'said land ' for the sake of convenience and clarity].

2. Request for removal of aforereferred alleged encroachment has not yielded results and that has necessitated captioned WP is the submission of Mr.P.R.Thiruneelakandan, learned counsel for writ petitioner.

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3. Issue notice to official respondents.

4. Mr.R.Sreedhar, learned Additional Government Pleader (Puducherry), accepts notice for official respondents i.e., R1 and R2. Learned State counsel for R1 and R2 submits survey of said land will be done after putting all concerned on notice and in their presence, within a period of eight weeks from today, *i.e.*, on or before 21.10.2025, and depending on the outcome of the survey, action for removal of encroachment (if found) will be commenced under appropriate/applicable statute as expeditiously as the business of official respondents would permit but in any event within a period of eight weeks therefrom, *i.e.*, on or before 16.12.2025. This submission is recorded.

5. Though obvious, we make it clear that all the rights and contentions of the private respondent stand preserved and this order does not touch or impinge upon or impact the rights of private respondent. Therefore, there is no impediment in dispensing with notice to private respondent and taking up the captioned WP with the



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consent of the learned State counsel and learned counsel for writ petitioner. We do so.

6. In the light of the narrative thus far, captioned main 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.) (R.S.V.,J.)
26.08.2025

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

To

- 1.The Deputy Collector (Revenue) South,
Villianur, Puducherry – 605 110.
- 2.The Director,
Adi Dravidar Welfare Department,
Government of Puducherry,
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and
R.SAKTHIVEL, J.,**

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