



WEB COPY



W.P.No.27618 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.27618 of 2025
and W.M.P.No.30940 of 2025

V.Murugesan
S/o.Vadivel,
No. 1/28, Main Road Street,
Thachur Village and Post,
Cuddalore District

Petitioner

Vs

- 1.The District Collector
Cuddalore District
- 2.The Revenue Divisional Officer
Virudhachalam,
Cuddalore Distirct
- 3.The Thasildar
Tittakudi Taluk,
Cuddalore Distirc
- 4.The Block Development Officer
Mangalure, Tittakudi Taluk,
Cuddalore District



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5.The Inspector
Hindu Religious and Charitable
Endowment Board,
Tittakudi, Cuddlaore

6.Kandasamy
S/o.Arumugapadayachi,
Perumulai Village,
Tittagudi Taluk,
Cuddalore District.

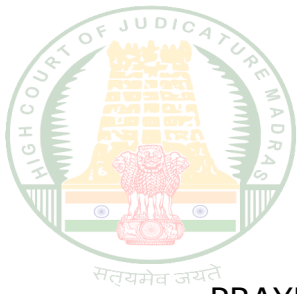
7.Tamilselvan
S/o.Kandasamy Padayachi,
Perumulai Village,
Tittagudi Taluk,
Cuddalore District.

8.Sadayappan
S/o.Muthusamy,
Perumulai Village,
Tittagudi Taluk,
Cuddalore District.

9.Arumugam
S/o.Poomalai,
Perumulai Village,
Tittagudi Taluk,
Cuddalore District.

10.Tamilselvan
S/o.Kaliyamurthi,
Perumulai Village,
Tittagudi Taluk,
Cuddalore District.

Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 5 to consider petitioner's representation dated 19.09.2024 and thereby direct the respondents 1 to 5 to take effective steps to remove the encroachment by way erecting the compound wall in government land bearing Survey No.181/2 situated at Perumulai Village, Tittakudi Taluk, Cuddalore District.

For Petitioner: Mr.R.Suryaprakash

For Respondents: Mr.T.K.Saravanan
Addl. Government Pleader for
respondent Nos.1 to 3

Mr.A.Edwin Prabhakar
State Government Pleader
for respondent No.4

Mr.S.Ravichandran
Addl. Government Pleader
for respondent No.5

Mr.B.K.Sreenivasan
and Mr.S.Sidharthan
for respondent Nos.6 to 10

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard learned counsel for the parties.



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2. On the allegation that private respondents have raised a compound wall by encroaching the battai poramboke land, learned State counsel would submit that survey has been conducted and, according to the survey, private respondents have made certain encroachment and, therefore, the official respondents have proposed to initiate proceedings for eviction by issuing notices and, in fact, notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 have already been issued to the private respondents.

3. Learned counsel appearing for the private respondents, however, disputes and submits that there is no encroachment and he would contest the matter before the authority by filing reply to the notices, which have been issued to the private respondents.

4. Taking into consideration the submissions made by learned counsel for the parties, we are not inclined to proceed further in the



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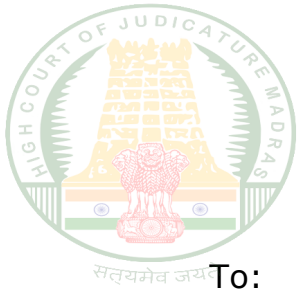
matter, because whether there is an encroachment or not is a disputed question of fact.

5. However, the authorities shall do well to conclude the proceedings, as early as possible, preferably within a period of three months, by taking appropriate decision after consideration of the reply/objection that may be filed by the private respondents.

6. The writ petition is, accordingly, disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
07.10.2025

Index : Yes/No
Neutral Citation : Yes/No
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