



W.P.No.26897 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR

and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

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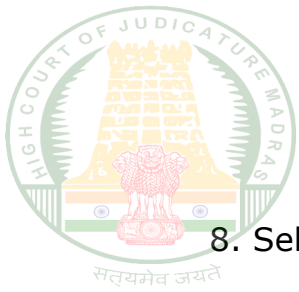
S.Sankar

... Petitioner

vs.

1. The District Collector  
Tiruvannamalai District  
Tiruvannamalai
2. The Assistant Director of Village Panchayats  
Tiruvannamalai District  
Tiruvannamalai
3. The Revenue Divisional Officer  
Arani Division, Arani  
Tiruvannamalai District
4. The Tahsildar  
Kalasappakkam Taluk, Kalasappakkam  
Tiruvannamalai District - 606 751
5. The Block Development Office  
Kalasappakkam Panchayat Union  
Kalasappakkam  
Tiruvannamalai District - 606 751
6. S.Annadurai
7. K.Annamalai

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8. Selvi

9. Premkumar

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing respondents 1 to 5 herein to forthwith take appropriate action to remove the encroachments made by Respondents 6 to 9 herein at Kil Street, Karuneegar Street, Yadava Street, Kuyavar Street of Kalasapakkam Village, Tiruvannamalai District by way of construction such as septic tank, shops, shed, cements platform, etc., by considering the representation of the petitioner dated 20.03.2025.

For Petitioner : Mr.A.Bharathi

For Respondents : Mr.T.K.Saravanan  
Addl. Govt. Pleader for R1 to R4  
Ms.E.Ranganayagi  
Additional Govt. Pleader for R5  
R6 to R9 - Notice Dispensed with

### ORDER

[made by M.SUNDAR, J.]

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

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2. Mr.A.Bharathi, learned counsel on record for writ petitioner, is before us.

3. Adverting to a representation dated 20.03.2025 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'S.No.250/36 situate in Kalasapakkam Village, Tiruvannamalai District' [hereinafter 'said land' for the sake of convenience and clarity] by R6 to R9 before us. To be noted, R6 to R9 are private respondents.

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 encroachers, 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 encroachers *i.e.*, R6 to R9.

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

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6. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice for R1 to R4 and Ms.E.Ranganayagi, learned Additional Government Pleader accepts notice for R5.

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 R3 [Revenue Divisional Officer, Arani Division, Tiruvannamalai District] *qua* said GO.

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

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11. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment) report the 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 encroachers and therefore, this safety valve is put in place. To be noted, all the rights and contentions of alleged encroachers 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 29.10.2025.

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



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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.

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.)**  
**23.07.2025**

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



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Tiruvannamalai District - 606 751



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**M.SUNDAR, J.**

and

**HEMANT CHANDANGOUDAR, J.**

cad

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