



WEB COPY



W.P.No.28194 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR

and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.28194 of 2025

R. Karthikeyan

Petitioner

vs.

1. The District Collector
Mayiladuthurai
2. The Revenue Divisional Officer
Mayiladuthurai
3. The Tahsildar
Office of the Kuthalam Taluk
Mayiladuthurai District
4. Najar Mohamed
Sweet Dreams Marriage Hall
Therizhandur
Kadaiveethi Post
Therizhandur
Mayiladuthurai District - 609 808

Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus directing the respondents 1 to 3
to take necessary action against the fourth respondent running "Sweet
Dreams Marriage Hall" situated at Therizhandur, Kadaiveethi



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Post, Therizhandur, Mayiladuthurai District – 609 808 and dispose of the petitioner's representation dated 17.06.2025.

For petitioner	Mr. S. Ilamvaludhi
For RR 1 to 3	Mr. K. Suresh
	Government Advocate
For R4	Notice dispensed with

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.

2. As regards RoE, writ petitioner has sent a representation dated 17.06.2025. Inaction on the part of official respondents has necessitated the captioned WP, is learned counsel for writ petitioner, Mr. S. Ilamvaludhi's say. It is also contended that private respondent (R4) is the alleged encroacher.

3. Issue notice to official respondents (RR 1 to 3).

4. Mr. T.K. Saravanan, learned Additional Government Pleader, who accepts notice for official respondents, draws our



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attention to photocopy of 'A' register placed before us as part of the typed set of papers by the writ petitioner himself and submits that Survey No.199-B in Therizhandur Village, Kuthalam Taluk, Mayiladuthurai District [hereinafter 'said land' for the sake of convenience and clarity] has sub-divisions and it has been classified in the Revenue records as ryotwari plots and it stands in the name of R4 (Najar Mohamed) and one Farida Gani.

5. Learned counsel for writ petitioner fairly submits that the survey number *qua* which RoE prayer has been sought, has not been mentioned either in the writ petition or in the aforesaid representation dated 17.06.2025 but advertent to the writ affidavit, learned counsel submitted that the writ petitioner is concerned only with said land.

6. Considering the limited scope of the captioned WP, captioned WP is taken up in the Admission Board, *i.e.*, Motion List, with the consent of learned counsel on either side.



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7. As rightly pointed out by learned State counsel, as per Revenue records, said land is a ryotwari land and it stands in the name of R4 (Najar Mohamed) and one Farida Gani. Therefore, it is not a case of encroachment in public land. In this view of the matter, RoE prayer cannot be acceded to.

8. However, learned counsel for writ petitioner submitted that R4 has encroached upon other adjacent lands, including temple lands. We express no view or opinion on this submission but make it clear that if the writ petitioner chooses to make a representation relating to other public lands or temple lands, this order will not impede the same. It will be open to official respondents to consider the same on its own merits and in accordance with law, albeit after affording opportunity to R4 and/or any other person, who, according to writ petitioner, is/are alleged encroacher/s.

9. It is made clear that all rights and contentions of R4 and/or any other similarly placed person(s) stand preserved and therefore, we dispense with notice to R4 and take up the main WP in the Admission Board, *i.e.*, Motion List, itself, as alluded to *supra*.



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10. In the light of the narrative thus far, captioned WP is disposed of as closed without acceding to the mandamus prayer *qua* RoE as regards said land but with preservation of rights of writ petitioner to make a representation with regard to public lands/temple lands, if the writ petitioner chooses to do so. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
30.07.2025

cad



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M.SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

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To

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