



W.P.No.31221 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 20.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and
THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.31221 of 2025

Vishal @ Koteeswaran

... Petitioner

vs.

1. The District Collector
Office of the Collectorate
Thiruvallur District

2. The Sub Collector
Thiruvallur District

3. The Thasildar
Ponneri Taluk
Ponneri

4. The Block Development Officer
Minjur
Thiruvallur District

5. The Revenue Divisional Officer
Ponneri
Thiruvallur District

...Respondents

Writ Petition filed under Article 226 of the Constitution of India

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seeking a writ of mandamus directing the respondents to remove the encroachments of Government Vandai Battai lands comprised in S.Nos.395, 404-1, 400-1, 398-7, 399-1, 371-5, 372, 370-6, 519 in Chinnakavanam -2 revenue village, Ponneri Taluk, Thiruvallur District to restore the Vandai Battai for usage and consequently direct the fourth respondent to raise the height of the Vandai Battai to enable the same to be accessed through agricultural machineries and vehicles by considering the representation dated 16.05.2025.

For petitioner : Mr.B.Vignesh
For Respondents : Mr.M.S.Arasakumar
Govt. Advocate for R1 to R3 & R5
Mr.L.S.M.Hasan Fizal
Addl. Government Pleader for R4

ORDER

[Order of the Court was 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.B.Vignesh, learned counsel on record for writ petitioner is before us.

3. Adverting to representation dated 16.05.2025, Mr.B.Vignesh, learned counsel for writ petitioner submitted that there is alleged encroachment in Government Vandi Battai lands situate in 'S.Nos.395, 404-1, 400-1, 398-7, 399-1, 371-5, 372, 370-6, 519 in Chinnakavanam -2 revenue village, Ponneri Taluk, Thiruvallur District ' [hereinafter 'said lands' for the sake of convenience and clarity].

4. Considering the obtaining position, we are of the view that the captioned WP can be disposed of by ordering notice to respondents.

5. Issue notice to respondents.

6. Mr.M.S.Arasakumar, learned Government Advocate accepts notice for R1 to R3 and R5 and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader accepts notice for R4.

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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 learned counsel on both sides, main WP was taken up.

8. It was submitted by learned Government Advocate that G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 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 fifth respondent herein [Revenue Divisional Officer, Ponneri, Thiruvallur District] qua G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022.



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10. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment qua said land. The Divisional Monitoring Committee shall also ensure that adequate and ample opportunity is given to persons concerned / alleged encroachers before taking a call. 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 its own merits and in accordance with law untrammelled by this proceedings in this Court, within a period of fourteen weeks from today i.e., by 26.11.2025.

11. The Divisional Monitoring Committee qua G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022, shall (if it comes to the conclusion that there is encroachment) report the encroachment for further action (for removal of encroachment which again shall be after giving adequate and ample opportunity to alleged encroachers).



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12. It is open to the WP 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 are 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.

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.)
20.08.2025

Index: Yes/No

N.C. : Yes/No

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