



W.P.No.33499



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

AND

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P. No.33499 of 2025

S. Muniyamuthu

Petitioner

vs.

1. The District Collector
District Collector Office
I Floor
New Collectorate Building
Manjakuppam
Cuddalore - 607 001
2. The Revenue Divisional Officer
Virudhachalam Revenue Division
Virudachalam - 606 001
3. The Tahsildar
Veppur Taluk Office
Near Veppur Bus Stand
Veppur 606 304
4. K. Kolanginadhan
5. K. Ayyamperumal
6. K. Katturaja

Respondents



Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 3 to inspect the Natham Canal in Survey No.177/1 and conduct enquiry and remove the encroachments therein and also considering the representation letter dated 19.06.2025 within a time limit.

For petitioner Mr. M. Abivarthan

For RR 1 to 3 Mr. T.K. Saravanan
Addl. Govt. Pleader

For RR 4 to 6 Notice dispensed with

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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 *qua* land comprised in Survey No.177/1 in Nallur Village, Veppur Taluk, Cuddalore District [hereinafter 'said land' for the sake of convenience and clarity], which, according to the writ petitioner, is classified as 'Natham Canal'.

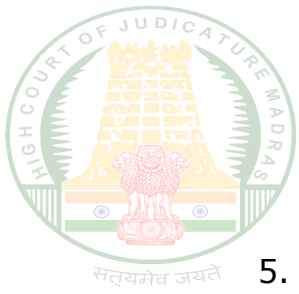
2. Issue notice to official respondents (respondents 1 to 3).

3. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for official respondents (respondents 1 to 3) and submits, on



instructions, that a survey of said land, in the presence of writ petitioner as well as respondents 4 to 6 (to be noted, fifth and sixth respondents are sons of fourth respondent) was done on 06.09.2025, encroachment was noticed and RoE proceedings under 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' [hereinafter 'said 1905 Act' for the sake of convenience and clarity] will be commenced as expeditiously as the official business of third respondent (Tahsildar) permits but in any event within six weeks from today *i.e.*, on or before 20.10.2025. This submission of learned State counsel is recorded as an undertaking given to this Court by third respondent.

4. Commencement of RoE under said 1905 Act necessarily means that respondents 4 to 6 (private respondents) as well as other alleged encroacher(s) will be put on notice *i.e.*, show caused *vide* Section 7 of said 1905 Act. When such notice is issued, we make it clear that all the rights and contentions of respondents 4 to 6 (private respondents) and/or any other similarly placed noticee(s) will stand preserved without being impacted by this order in any way. In this view of the matter, we deem it appropriate to dispense with notice to respondents 4 to 6 (private respondents) and take up the captioned WP in the Admission Board, *i.e.*, Motion List, with the consent of learned counsel for writ petitioner and learned State counsel.



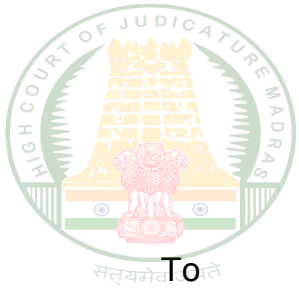
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5. In the light of the narrative thus far, this Court is of the considered view that recording the stated position of the learned State counsel and the time frame for commencement of RoE proceedings under said 1905 Act will suffice to give a closure to the captioned WP. We do so.

6. Captioned WP stands disposed of in the aforesaid manner as closed, albeit with preservation of rights and contentions of all concerned, more particularly, respondents 4 to 6 (private respondents), in the aforesaid manner. There shall be no order as to costs.

(M.S., J.) (M.S.K., J.)
08.09.2025

cad
Index : Yes/No
NC : Yes/No



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