



WEB COPY

W.P. No.27724 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2025

CORAM:
THE HON'BLE MR. JUSTICE M. SUNDAR
AND
THE HON'BLE MR. JUSTICE T. VINOD KUMAR

W.P.No.27724 of 2025

M. Ali

Petitioner

vs.

1. The District Collector
O/o.The District Collector
Villupuram
Villupuram District
2. The Tahsildar
Ulundurpet Taluk Office
Ulundurpet
Villupuram District
3. The Commissioner
Ulundurpet Municipality
4. Valli
5. Srinivasan
6. Velu
7. Devi

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 16.10.2024 by removing the encroachment made by the respondents 4 to 7 in Government patta poramboke in Survey No.416 and Survey No.416(4A), U.Keeranoor Village, Ulundurpet Taluk, Villupuram District.

For petitioner
For RR1 to 3

Ms. Subhalaxmi Samanta
Mr. T.K. Saravanan
Additional Govt. Pleader



WEB COPY

W.P. No.27724 of 202



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* Survey Nos.416 and 416/4A in 66, U. Keeranoor Village, Ulundurpet Taluk, Villupuram District [hereinafter 'said lands' for the sake of convenience and clarity].

2. Ms. Subhalaxmi Samanta, learned counsel on record for writ petitioner, submits that request to official respondents *qua* RoE, including representation dated 16.10.2024, as regards said lands, have not yielded results and that has necessitated the captioned WP.

3. Issue notice to official respondents.

4. Mr. T.K. Saravanan, learned Additional Government Pleader, who accepts notice for respondents 1 to 3, draws our attention to an assignment which has been annexed in the typed set of papers filed by the writ petitioner *i.e.*, an assignment order dated 05.12.2010 wherein and whereby one parcel of said lands *viz.*, Survey No.416/4A has been assigned to fourth respondent. Therefore, even according to writ petitioner's averment and stated position, one parcel of said lands is clearly patta land and therefore, RoE *qua* Survey No.416/4A does not arise.



WEB COPY

W.P. No.27724 of 202



5. As regards the other parcel of said land, viz., Survey No.416, learned State counsel submits that Survey No.416 has since been sub-divided and Survey No.416/1 alone is set apart as kuttai poramboke (pond poramboke). A survey was fixed on 02.08.2025 but the same could not be conducted owing to resistance, survey is in the anvil and if encroachment in Survey No.416/1 is found, suitable action, after affording opportunity to the alleged encroachers, will be initiated. We record this submission as an undertaking given to this Court by official respondents.

6. In the light of the narrative thus far, we find that captioned WP can be disposed of by preserving the rights and contentions of respondents 4 to 7 (private respondents). We make it clear that instant order will not impact the rights and contentions of respondents 4 to 7 (private respondents) and for that matter, any other alleged encroacher(s), when show caused.



WEB COPY

7. In such view of the matter, we dispense with notice to respondents 4 to 7 (private respondents) and take up the captioned WP with the consent of learned counsel for writ petitioner and learned State counsel and dispose of the captioned WP recording the stated position of the learned State counsel (which has been recorded as an undertaking given by official respondents *supra*). There shall be no order as to costs.

(M.S., J.) (T.V.K., J.)
06.08.2025

cad
Index : Yes/No
NC : Yes/No



W.P. No.27724 of 202



WEB COPY To

1. The District Collector
O/o.The District Collector
Villupuram
Villupuram District
2. The Tahsildar
Ulundurpet Taluk Office
Ulundurpet
Villupuram District
3. The Commissioner
Ulundurpet Municipality



WEB COPY



W.P. No.27724 of 2025

M. SUNDAR, J.

and

T. VINOD KUMAR, J.

cad

W.P. No.27724 of 2025

06.08.2025