



WP No.28077 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP No.28077 of 2025

V.R.Chinnathambi

: Petitioner

versus

- 1.The District Collector,
Namakkal District, Namakkal
- 2.The Tahsildar,
Tiruchengode Taluk, Namakkal
- 3.The Head Surveyor
Tiruchengode Taluk, Namakkal
- 4.The Block Development Officer,
Tiruchengode Taluk, Namakkal
- 5.The Special Officer,
Tirumangalam Village Panchayat
Tiruchengode Taluk, Namakkal

6.A.G.Ravi

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 5 to remove the encroachment made by the 6th respondent in the panchayat road (Itteri) comprised in S.Nos.1/2, 2/1 and 8/3 situated at Thirumangalam Village, Tiruchengode Taluk, Namakkal District and subsequently restore its original extent as per revenue records.

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For Petitioner : Mr.M.Subash
For Respondents : Mr.A.Edwin Prabhakar,
State Government Pleader,
for respondents 1 to 5

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard learned counsel for the parties.

2. In response to the allegation of inaction on the part of the official respondents in removing encroachment made by the sixth respondent in the panchayat road (Itteri) comprised in S.Nos.1/2, 2/1 and 8/3 situated at Thirumangalam Village, Tiruchengode Taluk, Namakkal District, a counter-affidavit is filed by the second respondent; wherein it is stated that taking cognizance of the complaint, a survey was undertaken and certain encroachments were found.

3. Mr.A.Edwin Prabhakar, learned State Government Pleader, submits that the authorities concerned would issue notice to the encroachers towards removal of encroachment.



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4. In our view, once survey has been conducted and certain encroachments are found, the authorities are required to proceed further and issue notice towards removal of encroachment.

5. It is stated in the affidavit that the sixth respondent has filed a suit. It goes without saying that if there is no injunction passed in the suit filed by the sixth respondent, it will be open to the official respondents to proceed further in the matter.

6. The petition stands disposed of. There will be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (SUNDER MOHAN, J.)
28.08.2025

Index : Yes/No
Neutral Citation : Yes/No
tar

To

1.The District Collector,
Namakkal District, Namakkal

2.The Tahsildar,
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THE HON'BLE CHIEF JUSTICE

AND

SUNDER MOHAN, J.

(tar)

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Tiruchengode Taluk, Namakkal
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