



W.P.No.27105 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 25.06.2025

CORAM

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

W.P.No.27105 of 2021

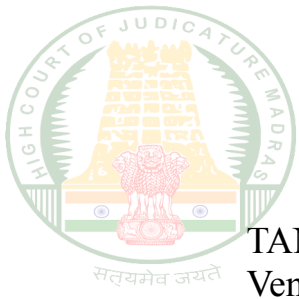
1.Mathisekar
2. Selvarani

... Petitioners

VS.

1. The State of Tamil Nadu
Rep. by District Collector
Cuddalore District
Cuddalore - 607 001
2. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Cuddalore - 607 001
3. The Tahsildar
Kurinjipadi Taluk
Kurinjipadi Taluk Office
Kurinjipadi - 607 302
4. The Superintending Engineer
Cuddalore Electricity Distribution Circle
Capper Hills, Cuddalore - 4
5. The Junior Engineer
Operation & Maintenance

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TANGEDCO
Venkadampettai - 607 302
Kurinjipadi Taluk

6. V.Radhakrishnan

7. Sagunthala

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing Respondents 1 to 3 to remove the unlawful encroachment made by the sixth respondent in Survey Nos.121/7-0.01 Ares and 121/9-0.01 Ares in Korananpattu Village, Kurinjipadi Taluk, Cuddalore District and to direct the respondents 4 and 5 to disconnect the illegal electricity connection taken by the 7th respondent from the 1st petitioner's service connection number in S.C.No.145, by considering the petitioners' representation dated 19.07.2021.

For petitioner : Mr.V.Rajesh Babu

For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
For R1 to R3

Mr.V.Venkataseshaiya
Standing counsel for R4 and R5

R6 and R7 served (No appearance)



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ORDER

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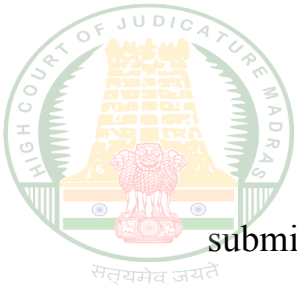
[Order of the Court was made by M.SUNDAR, J.]

Subject matter of captioned main 'Writ Petition' is constituted by two parcels of land, one in 'S.No.121/7 and another in S.No.121/9, both in Korananpattu Village, Kurinjipadi Taluk' ('I parcel' and 'II parcel' of land respectively for the sake of convenience).

2. Mr.V.Rajesh Babu, learned counsel for writ petitioners and Mr.T.K.Saravanan, learned Additional Government Pleader for R1 to R3 and Mr.V.Venkataseshaiya, learned Standing counsel for R4 and R5 are before this Court.

3. As regards II parcel of land, learned State counsel submits that patta has been issued. Therefore, we preserve the rights and contentions of writ petitioners, private respondents, who are R6 and R7 as well as any other person who may have interest in the matter to seek cancellation of patta / resist the same. If such proceedings are initiated, the same shall be considered on its own merits and in accordance with law.

4. As regards I parcel of land, advertent to a representation dated 19.07.2021 from the writ petitioners, learned counsel for writ petitioners



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submitted that there is encroachment in 'Survey Nos.121/7 in Korananpattu Village, Kurinjipadi Taluk, Cuddalore District ' [hereinafter 'said land' for the sake of convenience and clarity].

5. Considering the facts and circumstances of the case in juxtaposition with G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 {hereinafter 'said GO' for the sake of convenience} which puts in place a removal of encroachment procedure *inter-alia* giving opportunity to alleged encroacher/s, we are of the view that the captioned WP can be disposed of by putting in a safety valve / adequate protection qua alleged encroacher/s.

6. It was submitted by learned State counsel that said GO 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.



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7. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by R2 (Revenue Divisional Officer, Cuddalore District) *qua* said GO.

8. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land.

9. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment) report the encroachment to appropriate authorities concerned for further action (for removal of encroachment). 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 their own merits and in accordance with law untrammelled by this proceedings in this Court. The entire exercise shall be completed within a period of 14 weeks from today *i.e.*, by 03.10.2025.

10. It is open to the writ petitioners and / or anyone concerned with this matter to come to this Court on the same issue even with a similar / same prayer if there is any change of circumstances.

11. We make it clear that we have not expressed any view or



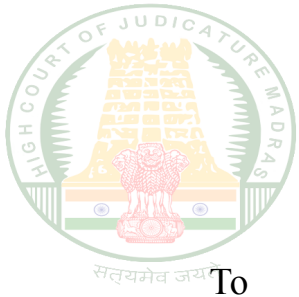
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opinion as to whether there is encroachment or not *qua* said land as it turns on facts and it is for the Divisional Monitoring Committee to take a call on this aspect of the matter. We also make it clear that this exercise will not apply to patta land and it will apply only to public land, if there is any encroachment in public land.

12. 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.)
25.06.2025
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gpa



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To
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M.SUNDAR, J.
and
HEMANT CHANDANGOUDAR, J.

gpa

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