



W.P.No.42535 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

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D.Baktavatchalam

... Petitioner

-vs-

- 1.The District Collector,
Office of the District Collectorate,
Chengalpattu, GST Road,
Chengalpattu.
- 2.The District Revenue Officer,
Chengalpattu Collectorate,
GST Road, Chengalpattur – 603 001.
- 3.Revenue Divisional Officer,
Maduranthagam Division,
Chengalpattu District – 603 306.
- 4.Block Development Officer (BP),
Acharapakkam Block,
Elapakkam Salai,
Acharapakkam – 603 301.
- 5.Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Chennai – Trichy Highways,
Maduranthagam, Chengalpattu District – 603 306.



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6. Deputy Inspector of Survey,
O/o. The Deputy Inspector of Survey,
Maduranthagam Taluk, Maduranthagam,
Chengalpattur District – 603 306.
7. Tahsildar,
Maduranthagam Taluk,
Chengalpattu District – 603 306.
8. Divisional Engineer (H),
C&M, Chengalpattu,
O/o. Divisional Engineer (H),
C&M, Chengalpattu, No.2A, Periyar Nagar,
Chengalpattu – 603 001.
9. The Director,
O/o. Chengalpattu District Town & Country Planning,
No.124, GST Road, Periyar Shopping Complex,
Chengalpattu District – 603 001.
10. The Assistant Director,
Tamil Nadu Electricity Board,
No.135, Car Street, Acharapakkam,
Maduranthagam, Chengalpattur District – 603 306.
11. Ettiyappan
12. Aruldoss
13. Vijaya
14. Mohan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 10 to demolish and remove the illegal and unauthorised construction made by the respondents 11 to 14 by encroaching the Highway land in Survey No.159/3 in Village No.109, Kadamalaiputhur Village, Maduranthagam Taluk, previously



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Kancheepuram District, now Chengalpet District causing obstruction to the petitioner from using his lands in Survey No.159/4A on the South of the encroached Road based on the representation of the petitioner dated 12.05.2025.

For Petitioner : Mr.M.Y.Muhamed Rafi

For Respondents : Mr.A.Selvendiran,
Spl.G.P. for R1 to 3, 5 to 7 & 10

Mr.E.Vijay Anand,
Addl. G.P. for R4

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.,)

Writ of Mandamus has been instituted to direct the respondents 1 to 10 to demolish and remove the unauthorized construction made by the respondents 11 to 14 by encroaching upon the Highways land in Survey No.159/3 in Village No.109, Kadamalaiputhur Village, Maduranthagam Taluk, previously Kancheepuram District, now Chengalpattu District. The petitioner made a complaint to the Authorities.

2. Notice has been served to all the respondents.



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3. The learned Special Government Pleader based on the written instructions given by the Tahsildar, Madurantagam, would submit that during the field inspection the Tahsildar found that the encroachments are made in the State Highways property. Therefore, the revenue Authorities in coordination with the State Highways Authorities conducted inspection and identified the encroachments.

4. Since the encroachments are identified in highways properties the competent Authorities of the Highways Department has to initiate eviction proceedings by following the procedures as contemplated under the Highways Act. If any of the encroachments is falling under the Government land then the jurisdictional Tahsildar has to initiate action under the Land Encroachment Act. The Authorities are directed to coordinate and remove the encroachments by following the procedures contemplated under the Act for removal of encroachments. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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5. With the above directions, this Writ Petition stands disposed of.

No costs.

(S.M.S,J.,) (C.K,J.,)
11.12.2025

Index: Yes / No
Internet: Yes / No
dsa



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