



W.P.No.27743



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2025

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CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

AND

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.27743 of 2024

K.Jayanthi

... Petitioner

vs.

1. The District Collector
Vellore District
Collectorate
Vellore District
2. The Tahsildar
Katpadi Taluk Office
Katpadi
Vellore District
3. The Commissioner
Corporation of Vellore
Vellore District
4. S.Saravanan
5. S.Karthikeyan
6. S.Selvam

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 3 to remove the encroachments made by respondents 4 to 6 in the 20 feet common road comprised in Survey No.543/1 situated at Dharapadvedu Village, Katpadi Taluk, Vellore District within a time frame to be fixed by this Court.

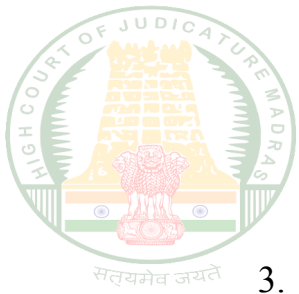
For petitioner	:	Ms.M.Rebecca for Mr.M.Duraimurugan
For Respondents	:	Mr.T.K.Saravanan Addl. Govt. Pleader for R1 and R2 Ms.R.Reganitha for Mr.P.S.Prabhu for R3

ORDER

(made by M. SUNDAR, J.)

Subject matter of captioned main 'writ petition' ['WP' for the sake of brevity] is alleged encroachment put up on the '20 feet common road in Survey No.543/1 situated at Dharapadvedu Village, Katpadi Taluk, Vellore District' [hereinafter 'said land ' for the sake of convenience and clarity].

2. Request for removal of aforereferred alleged encroachments has not yielded results and that has necessitated captioned WP is the submission of learned counsel for writ petitioner.



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3. Ms.M.Rebecca, learned counsel representing Mr.M.Duraimurugan, learned counsel on record for writ petitioner, Mr.T.K.Saravanan, learned Additional Government Pleader for R1 and R2 and Ms.R.Reganitha, learned counsel representing Mr.P.S.Prabhu, counsel on record for R3 are before this Court.

4. Learned State counsel Mr.T.K.Saravanan, submits, on instructions, that a survey will be conducted within eight weeks from today i.e., on or before 02.09.2025 and if encroachments are found suitable action under appropriate / applicable Statute will be initiated against private respondents and / or other encroachers, if any but Ms.R.Reganitha, learned counsel for R3 submits that if encroachment is found, action will have to be commenced under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999)' {hereinafter 'TNULB Act' for the sake of brevity}. We express no opinion on this but we only record the submission.

5. If there are encroachments, action against private respondents and/or other encroachers necessarily means that the private respondents would be show-



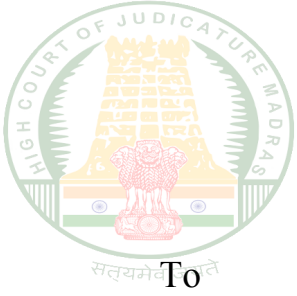
caused. This Court makes it clear that all rights and contentions of private respondents are preserved if they are show-caused. Therefore, this Court does not touch upon the rights of private respondents.

6. In the light of the narrative thus far, captioned WP is disposed of in the aforesaid manner, recording the stated position of learned State counsel that survey will be done within a period of eight weeks from today, *i.e.*, on or before 02.09.2025 and action if any, under appropriate/applicable statute, will be commenced as expeditiously as the business of official respondents would permit but in any event within a period of eight weeks therefrom *i.e.*, on or before 28.10.2025. There shall be no order as to costs.

Captioned WP disposed of in the aforesaid manner. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
08.07.2025

Index : Yes/No
Neutral Citation : Yes/No
gpa



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