



W.P.No.31219 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 20.08.2025

CORAM

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

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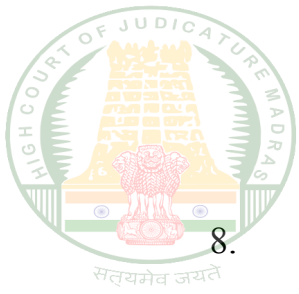
V.Murugesan

... Petitioner

vs.

1. The District Collector
Salem District
2. The Revenue Divisional Officer
Salem
3. The Revenue Tahsildar
Valappadi Taluk
Salem District
4. Block Development Officer (Village Panchayat)
Panchayat Union Office
Ayothiyapattinam
Salem District
5. Kuppusamy
6. Manimurugan
7. M.Theivam

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8. Selvam

9. Murugesan

10. Guruchandran

11. Theivam

12. Balu

13. Sanju

14. Natarajan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, to direct Respondents 1 to 4 to remove the encroachment made in Survey Nos.186/3, 187/1 and 188/1A of Periya Kavundapuram Village, Valappadi Taluk, Salem District made by Respondents 5 to 14 and restore the odai to its original position within a stipulated time frame fixed by this Court.

For Petitioner : Mr.P.Vetrivel

For Respondents : Mr.K.Suresh
Government Advocate for R1 to R3

Mr. P.Ganesan
Addl.Govt. Pleader for R4

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ORDER

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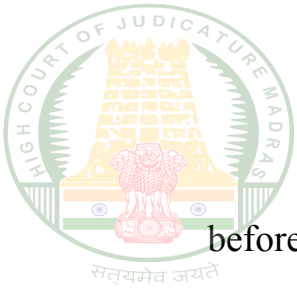
[Order of the Court was made by M.SUNDAR, J.]

Subject matter of captioned 'Writ Petition' [hereinafter 'WP' for the sake of brevity] is alleged encroachment in 'Survey Nos.186/3, 187/1 and 188/1A of Periya Kavundapuram Village, Valappadi Taluk, Salem District' (hereinafter 'said lands' for the sake of convenience and clarity).

2. Request for removal of aforesaid alleged encroachment by way of representations dated 19.10.2024 and 15.11.2024 has not yielded results and that has necessitated captioned WP is the submission of learned counsel for writ petitioner.

3. Issue notice to official respondents (R1 to R4).

4. Mr. K.Suresh, learned Government Advocate accepts notice for Respondents 1 to 3 and Mr.P.Ganesan, learned Additional Government Pleader accepts notice for R4. Learned State counsel submits that survey of said land will be done within a period of eight weeks from today, *i.e.*, on or

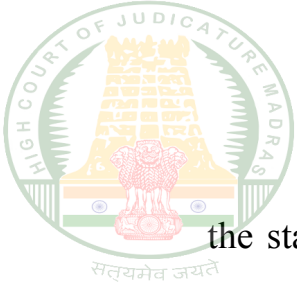


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before 15.10.2025, and depending on the outcome of the survey, action for removal of encroachment (if found) will be commenced *vide* either under 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of convenience and clarity} or under 'the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (Tamil Nadu Act 8 of 2007)' (hereinafter 'Tanks Act' for the sake of brevity) or under any other appropriate/applicable Statute 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 10.12.2025. This submission is recorded.

5. Though obvious, we make it clear that all the rights and contentions of Respondents 5 to 14 /private respondents stand preserved and this order does not impinge upon the rights of Respondents 5 to 14 /private respondents. Therefore, there is no impediment in dispensing with notice to private respondents and taking up the captioned WP with the consent of the learned State counsel and learned counsel for writ petitioner. We do so.

6. Captioned WP is disposed of in the aforesaid manner recording



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the stated position of learned State counsel. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
20.08.2025

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

To

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Salem District
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