



WP No. 36467 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 36467 of 2025

Venkatesan

S/o.Subarayan Padaiyatchiyar, Kalyanagiri Village
Kalleripatti Post, P.N.Palayam Taluk, Salem District.

..Petitioner(s)

Vs

1. The District Collector
Salem.
2. The Tahsildar
Pethanaickenpalayam, Salem.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to remove the encroachments in survey numbers 86/12, 87/4, 88/2, 87/1, 87/2, 87/21, 1/1, 6/1, 70,78,79,96/1,97/1,153,154/2, 155/1, which are Rivers and Government Poramboke Lands at Kalyanagiri Village, Padaiyatchiyur, Kalleripatti Post, P.N.Palayam Taluk, Salem District by considering the petitioners representations dated 7.12.2022 and 19.02.2024 .

For Petitioner : Mr.T.Ganesan

For Respondents : Mr.S.Arumugam
Government Advocate

ORDER



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(Order of the Court was made by R.Suresh Kumar J.)

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The prayer sought for herein is for a Writ of Mandamus directing the respondents to remove the encroachments in survey numbers 86/12, 87/4, 88/2, 87/1, 87/2, 87/21, 1/1, 6/1, 70,78,79,96/1,97/1,153,154/2, 155/1, which are Rivers and Government Poramboke Lands at Kalyanagiri Village, Padaiyatchiyur, Kalleripatti Post, P.N.Palayam Taluk, Salem District by considering the petitioners representations dated 7.12.2022 and 19.02.2024.

2. In respect of the river bank called Vasistha river at Kalyanagiri Village, Padaiyatchiyur, Kalleripatti Post, P.N.Palayam Taluk, Salem District, there has been large number of encroachments on the banks of the river. By thus, the ingress and egress of the nearby people who go to their agricultural lands are getting hampered. Therefore, in order to remove such encroachment after conducting a survey, a representation has been given by the petitioner to the Revenue Department on 07.12.2022. As the same has not evoked any response, in the year 2024 also ie., on 19.02.2024 he has given yet another representation and this time also there was no response. Therefore, the petitioner has approached this Court by filing the present writ petition.



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3. Heard Mr.T.Ganesan, learned counsel for the petitioner and Mr.S.Arumugam, learned Government Advocate for the respondents.

4. Learned Government Advocate would submit that the second respondent Revenue Tahsildar would take steps to conduct a survey of the land in question and verify whether there has been any encroachment made in the river bank and if any such encroachment is found, suitable action would be taken to remove the same.

5. Having regard to the submission made by the learned Government Advocate, we are inclined to dispose of this writ petition with a direction to the second respondent to conduct a survey of the land in question as mentioned herein above and find out if there any encroachments and thereafter action can be initiated against the encroachers at the earliest, preferably within a period of three months from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

(R.S.K.,J.) (H.C.,J.)
04-11-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
KST



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**R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.**

KST

To

1. The District Collector
Salem.
2. The Tahsildar
Pethanaickenpalayam, Salem.

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