



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

AND

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.30935 of 2025

K.Selvarasu

Petitioner

vs.

1. The District Collector
District Collectorate
Tiruvarur District 610 004
2. The Revenue Divisional Officer
Mannargudi Division
Mannargudi Taluk
Tiruvarur District 614 001
3. The Tahsildar
Thiruthuraipoondi Taluk
Tiruvarur District 614 713
4. The Block Development Officer
Village Panchayats
Office of the BDO
Thiruthuraipoondi Taluk
Tiruvarur District 614 713
5. The Special Officer
Kothamangalam Village Panchayat
Kothamangalam Post
Thiruthuraipoondi Taluk
Tiruvarur District 614 715
6. Selvamani
7. Tamil Sudar

Respondents



Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 5 to remove the encroachments made by the respondents 6 and 7 into the 'Government poramboke pathway' comprised in Survey No.315/43 (old Survey No.141/9B), situate in Kothamangalam Revenue Village, Thiruthuraipoondi Taluk, Tiruvarur District by considering the petitioner's representation dated 22.02.2024, within a time frame.

For petitioner	Mr. R.Vivek
For RR 1 to 3	Mr. K. Suresh Govt. Advocate
For RR 4 and 5	Mr. G. Prassanna Govt. Advocate
For RR 6 and 7	Notice dispensed with

ORDER

(made by M. SUNDAR, J.)

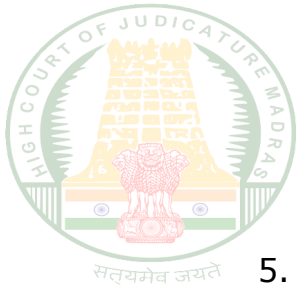
Subject matter of captioned 'writ petition' [hereinafter 'WP' for the sake of brevity] is alleged encroachment in 'Survey No.315/43 (old Survey No.141/9B), situate in Kothamangalam Revenue Village, Thiruthuraipoondi Taluk, Tiruvarur District' [hereinafter 'said land' for the sake of convenience and clarity).



2. Request for removal of aforereferred alleged encroachment by writ petitioner by way of a representation dated 22.02.2024 to official respondents has not yielded results and that has necessitated captioned WP, is the submission of Mr. R. Vivek, learned counsel on record for writ petitioner.

3. Issue notice to official respondents (respondents 1 to 5).

4. Mr. K. Suresh, learned Government Advocate, accepts notice for respondents 1 to 3 and Mr. G. Prassanna, learned Government Advocate, accepts notice for respondents 4 and 5. Learned State counsel submit that survey of said land will be done, after putting all concerned on notice and in their presence, within a period of eight weeks from today, *i.e.*, on or before 13.10.2025, and depending on the outcome of the survey, action for removal of encroachment (if found) will be commenced *vide* the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905) 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 08.12.2025, of course, after issuance of a notice under Section 131(2) of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) by fourth respondent (Block Development Officer). This submission is recorded.

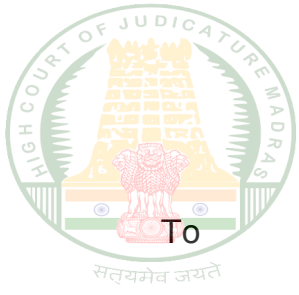


5. Though obvious, we make it clear that all the rights and contentions of the private respondents (respondents 6 and 7) stand preserved and this order does not touch or impinge upon or impact their rights. Therefore, there is no impediment in dispensing with notice to private respondents (respondents 6 and 7) and taking up the captioned WP with the consent of the learned State counsel and learned counsel for writ petitioner. We do so.

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. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
18.08.2025

cad
Index : Yes/No
NC : Yes/No



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