



WP No. 36720 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

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T.Ramesh

..Petitioner(s)

Vs

1. The District Collector
Villupuram Distrct, Villupuram
2. The Revenue Divisional Officer
Tindivanam Revenue Division, Tindivanam,
Villupuram District
3. The Tahsildar
Melmalaiyanur Taluk Melmalaiyanur, Villupuram
District
4. The Block Development Officer
Melmalaiyanur Block, Melamlaiyanur, Villupuram
District
5. VEDIYAPPAN

..Respondent(s)



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Prayer: Writ petition filed under Article 226 of Constitution of India for issuance of writ of Mandamus seeking a direction to direct the respondents 1st to 4th to remove the encroachment made by the 5th respondent in survey No.267 and 272/4 by considering the representation of the petitioner dated 09.06.2025 within a stipulated time.

For Petitioner(s): Mr.B.Jawahar
For Respondent(s): Ms.M.Jayanthy
Additional Government Pleader
(for R1 to R3)

Mr E.Vijay Anand
Additional Government Pleader (For R4)

ORDER

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

The prayer sought for herein is for issuance of writ of Mandamus seeking a direction to direct the respondents 1 to 4 to remove the encroachment made by the 5th respondent in survey No.267 and 272/4 at Mananthal Village, Melmalaiyanur Taluk, Villupuram District, by considering the representation of the petitioner dated 09.06.2025 within a stipulated time.



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2. After accepting notice, Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents 1 to 3 on instructions issued by the 3rd respondent/The Tahsildar, Melmalaiyanur Taluk dated 18.11.2025 would submit that there is a civil suit pending between the parties before the civil Court. Even though such civil suit is barred under Section 14 of the Tamil Nadu Land Encroachment Act, 1905, since there has been no prohibitory order passed against the revenue authorities to take action against the alleged encroachment made by either the 5th respondent or any other 3rd party, there is no further impediment to undertake any action under the Tamil Nadu Land Encroachment Act, 1905.

3. In that view of the matter, the following orders are passed in this writ petition.

a) There shall be a direction to the 3rd respondent/The Tahsildar, Melmalaiyanur Taluk, Melmalaiyanur, Villupuram District to initiate appropriate action under the Tamil Nadu Land Encroachment Act, 1905 after conducting a survey of the land in question to verify whether there has been any encroachment by the 5th respondent or any other 3rd party. If so, after giving notice to



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them, action can be taken to remove such encroachment in accordance with law.

b) Let the needful as indicated above shall be under taken by the Tahsildar within a period of two (2) months from the date of receipt of a copy of this order.

4. With these directions, this writ petition is disposed of. No costs.

(R.S.K.,J.) (H.C.,J.)

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

mpl/kst

To

1. The District Collector
Villupuram District, Villupuram
2. The Revenue Divisional Officer
Tindivanam Revenue Division, Tindivanam,
Villupuram District



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3. The Tahsildar
Melmalaiyanur Taluk Melmalaiyanur, Villupuram
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4. The Block Development Officer
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R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.
mpl/kst

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