



W.P.No.31197 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.31197 of 2025

Kaliyullah

... Petitioner

Vs.

- 1.State rep. By
The Secretary to Government,
Highways Port Department,
Secretariat, Chennai – 600 009.
- 2.The Principal Director,
Highways Department,
Sardar Patel Road,
Guindy, Chennai – 600 032.
- 3.The District Collector,
Kallakurichi District, Kallakurichi.
- 4.The District Revenue Officer,
Kallakurichi, Kallakurichi District.
- 5.The Revenue Divisional Officer,
Kallakurichi, Kallakurichi District.
- 6.The Thasildar,
Thirukovilur, Kallakurichi District.
- 7.The Block Development Officer,

Page Nos.1/7



W.P.No.31197 of 2025

Thirukovilur, Kallakurichi District.

8.The Zonal Engineer,
Highways Department,
Kallakurichi, Kallakurichi District.

9.The Assistant Divisional Engineer,
Highways Department,
Thirukovilur, Kallakurichi District.

10.The Village President,
Ja. Sithamur Village,
Koovanur Post, Kallakurichi Taluk,
Kallakurichi District.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 6 to remove the encroachment made by the respondents 7 to 10 to construct the shelter to the petitioner's patta land in Survey No.2/1A to an extent of 26 Ares situated at Ja.Sithamur Village, Thirukovilur Taluk, Kallakurichi District by considering the petitioner's representation dated 08.08.2025 within the stipulated period fixed by this Court.

For Petitioner : Mr.C.Samivel

For Respondents : Mr.M.S.Arasakumar,
Government Advocate

ORDER

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

Subject matter of captioned 'writ petition' [hereinafter 'WP' for



W.P.No.31197 of 2025

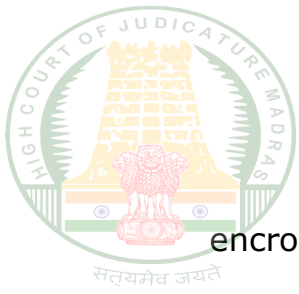
the sake of brevity] is alleged encroachment by way of construction of shelter in 'Survey No.2/1A, Ja.Siddhamur Village, Thirukoilur Taluk, Kallakurichi District' [hereinafter 'said land' for the sake of convenience and clarity).

2. Request for removal of aforereferred alleged encroachment by writ petitioner by way of a representation dated 08.08.2025 to R2 (Principal Director, Highways Department, Chennai) 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.

4. Mr. M.S.Arasakumar, learned Government Advocate, accepts notice for all ten respondents.

5. Learned State counsel submits 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 14.10.2025, and depending on the outcome of the survey, action for removal of



W.P.No.31197 of 2025

encroachment (if found) will be commenced *vide* the Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002) 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 09.12.2025. This submission is recorded.

6. Though obvious, we make it clear that all the rights and contentions of alleged encroacher/s stand preserved and this order does not touch or impinge upon or impact their rights. Therefore, there is no impediment in taking up the captioned WP with the consent of the learned State counsel and learned counsel for writ petitioner. We do so.

7. 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.)
19.08.2025

Index : Yes / No
Neutral Citation : Yes / No
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Page Nos.4/7



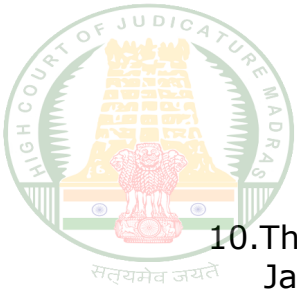
W.P.No.31197 of 2025

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To

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Page Nos.5/7



W.P.No.31197 of 2025

10.The Village President,
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

mmi

W.P.No.31197 of 2025



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W.P.No.31197 of 2025

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