



WEB COPY

W.P.No.32651 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.32651 of 2022

Murugan

S/o.Kolanthaiya Gounder

... petitioner

VS.

1. The District Collector
Office of the District Collectorate
Krishnagiri District.
2. The Tahsildar
Office of the Thasildhar
Burgoor Taluk
Krishnagiri District.
3. The Revenue Inspector
Office of the Revenue Inspector
Burgoor, Burgoor Taluk
Krishnagiri District.
4. The Village Administrative Officer
Office of the Village Administrator
Samayapuram Village
Burgoor Taluk, Krishnagiri District.

...Respondents



W.P.No.32651 of 2022

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to remove the encroachments comprised in Survey Nos.428/7, 428/31, 428/1A situated at Samayapuram Village, Oppathavaadi, Burgoor Taluk, Krishnagiri District by the consideration of the representation dated 06.09.2022.

For petitioner : Mr.S.Arivazhagan
For Respondents : Mr.K.Suresh
Government Advocate

ORDER

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

This order will now dispose of the captioned 'Writ Petition' ['WP' for the sake of brevity].

2. Mr.S.Arivazhagan, learned counsel on record for writ petitioner and Mr.K.Suresh, learned Government Advocate for respondents are before this Court.

3. Adverting to a representation dated 06.09.2022 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Survey Nos.428/7, 428/31, 428/1A situate at Samayapuram Village, Oppathavaadi, Burgoor Taluk, Krishnagiri District'



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[hereinafter 'said land' for the sake of convenience and clarity].

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4. Considering the facts and circumstances of the case in juxtaposition with 'G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022' {hereinafter 'said GO' for the sake of convenience} which puts in place a removal of encroachment procedure *inter-alia* giving opportunity to alleged encroachers, we are of the view that the captioned WP can be disposed of with consent of both sides by putting in a safety valve / adequate protection *qua* alleged encroachers.

5. In the light of what has been alluded to *supra* and considering the limited scope of the captioned WP, with the consent of both sides, captioned WP was taken up.

6. It was submitted by learned State counsel that said GO has been put in place, wherein and whereby Divisional Monitoring Committee, District Monitoring Committee and State Steering Committee have been constituted *inter alia* for a single point reporting / monitoring system *qua* Government lands.



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7. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by the Revenue Divisional Officer, Krishnagiri *qua* said GO.

8. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land.

9. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment) report the encroachment to appropriate authorities concerned for further action (for removal of encroachment). To be noted, all the rights and contentions of alleged encroachers are preserved for being raised before the Committee concerned which shall consider the same on their own merits and in accordance with law untrammelled by this proceedings in this Court. The entire exercise shall be completed within a period of 14 weeks from today *i.e.*, by 16.10.2025.

10. It is open to the writ petitioner and or anyone concerned with this matter to come to this Court on the same issue even with a similar / same prayer if there is any change of circumstances.



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11. We make it clear that we have not expressed any view or opinion

as to whether there is encroachment or not *qua* said land as it turns on facts and it is for the Divisional Monitoring Committee to take a call on this aspect of the matter. We also make it clear that this exercise will not apply to patta land and it will apply only to public land, if there is any encroachment in public land.

12. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

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Index : Yes / No

Neutral Citation : Yes

Speaking / Non-speaking

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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

mk

To

1. The District Collector
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Krishnagiri District.
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