



W.P.No.32407 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR  
and

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P. No.32407 of 2025

A. Partheban

Petitioner

vs.

1. The Collector of Kallakurichi District  
Collectorate  
Kallakurichi

2. The Revenue Divisional Officer  
Kallakurichi  
Kallakurichi District

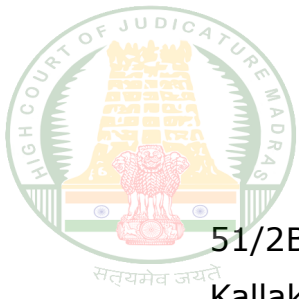
3. The Revenue Tahsildar  
Vanapuram Taluk Office  
Vanapuram Taluk  
Kallakurichi District

4. K. Veeran

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the third respondent to remove the encroachment made by the fourth respondent in the land measuring 0.01.34 hectares, comprised in Survey No.193/1 and the lands measuring 1.00.50 hectares, comprised in Survey No.194/1, which the petitioner and his family are using as pathway as ingress and egress to reach their lands comprised in Survey Nos.51/2B1B,

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51/2B2 and 51/1 in Manalurpettai Village, Vanapuram Taluk, Kallakurichi District by considering the petitioner's representation dated 11.07.2025.

|                |                                           |
|----------------|-------------------------------------------|
| For petitioner | Mr. R. Agilesh                            |
| For RR 1 to 3  | Mr. T.K. Saravanan<br>Addl. Govt. Pleader |
| For R4         | Notice dispensed with                     |

**ORDER**

[made by M.SUNDAR, J.]

Subject matter of captioned 'writ petition' [hereinafter 'WP' for the sake of brevity] is lands comprised in 'Survey Nos.193/1 and 194/1, both situate in Manalurpettai Village, Vanapuram Taluk, Kallakurichi District' [hereinafter 'said lands' for the sake of convenience and clarity].

2. Mr. R. Agilesh, learned counsel on record for writ petitioner, submits that the writ petitioner abridges the prayer and restricts it to Survey No.194/1 alone. In other words, to put it differently, learned counsel on record for writ petitioner submits that the writ petitioner is not making any prayer as regards Survey No.193/1 in the captioned



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WP. This submission is recorded and Survey No.194/1 shall now be referred to as 'said WP land' and Survey No.193/1 shall be referred to as 'said other land'.

3. As regards the said other land, writ petitioner had earlier filed a writ petition with Removal of Encroachment (RoE) prayer *vide* W.P. No.16254 of 2025 and the same came to be disposed of by another Hon'ble Division Bench in and by order dated 08.05.2025 which reads as follows:

'IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N. MALA

AND

THE HONOURABLE MR. JUSTICE G. ARUL MURUGAN

W.P.No.16254 of 2025

A. Partheban

Petitioner

vs.

1. The Collector of Kallakurichi District  
Collectorate, Kallakurichi

2. The Revenue Divisional Officer  
Kallakurichi  
Kallakurichi District

3. The Revenue Tahsildar  
Vanapuram Taluk Office  
Vanapuram Taluk  
Kallakurichi District

4. K. Veeran

Respondents



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W.P.No.32407 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the third respondent to remove the encroachment made by the fourth respondent in the land measuring 0.01.34 hectares comprised in Survey No.193/1 which the petitioner and his family are using as pathway as ingress and egress to reach their lands comprised in Survey Nos.51/2B1B, 51/2B2 and 51/1 in Manalurpettai Village, Vanapuram Taluk, Kallakurichi District by considering the petitioner's representation dated 26.03.2025.

For petitioner Mr. T. Dhanasekaran

For RR 1 to 3 Mr. S.J. Mohamed Sathik

Government Advocate

**ORDER**

(made by N. MALA, J.)

This writ petition has been filed seeking a writ of mandamus directing the third respondent to remove the encroachment made by the fourth respondent in the land measuring 0.01.34 hectares comprised in Survey No.193/1 which the petitioner and his family are using as pathway for ingress and egress to reach their lands comprised in Survey Nos.51/2B1B, 51/2B2 and 51/1 in Manalurpettai Village, Vanapuram Taluk, Kallakurichi District, by considering the petitioner's representation dated 26.03.2025.

2. Today, when the matter was taken up for hearing, learned counsel for the petitioner submitted that though a larger relief is sought by the petitioner, it would suffice if a direction is given to the third respondent to dispose of the petitioner's representation dated 26.03.2025 within a time frame to be fixed by this Court.

3. Considering the limited prayer now made by the learned counsel for the petitioner, this writ petition is disposed of with a direction to the third respondent to consider the petitioner's representation dated 26.03.2025 and pass orders on the same on its own merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. No costs.

(N.M., J.) (G.A.M., J.)

08.05.2025

cad/gya'



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4. Learned counsel submits that notwithstanding aforementioned 08.05.2025 judicial order, there is inaction *qua* official respondents. We do not express any view or opinion on this but we deem it appropriate to write that all the rights and contentions of writ petitioner stand preserved as regards alleged inaction.

5. Reverting to said WP land, it is submitted by learned counsel for writ petitioner that the same has been classified as Government poramboke and fourth respondent (private respondent) has encroached upon the same, repeated requests to official respondents to remove alleged encroachment has not yielded results and that has necessitated the captioned WP.

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

7. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for official respondents (respondents 1 to 3) and submits, on instructions, that as regards said other land, a survey has already been conducted but we refrain from delving into the same owing to the reasons stated *supra*.



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8. As regards the said WP land, learned State counsel submits that patta has been issued in favour of one Karuppan, father of fourth respondent and a scanned reproduction of the same is as follows:



தமிழ்நாடு அரசு

வருவாய் மற்றும் பேரிடர் மேலாண்மைத் துறை

நத்தம் பட்டா

மாவட்டம்: கள்ளக்குறிச்சி

வட்டம்: வாணாபுரம்

வருவாய் கிராமம்: மணலூர்பேட்டை

பட்டா எண்: 1543

உரிமையாளர்கள் பெயர்

1 கருப்பன்

தந்தை

வீரன்

| நத்தம் புல<br>எண் | உட்பிரிவு<br>எண் | பழைய புல<br>எண் | வகைபாடு           | பரப்பு<br>ஹெக்-<br>ஏர் | தீர்வை<br>ரூ-பை | குறிப்பு                                                                                                              |
|-------------------|------------------|-----------------|-------------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------|
| 194               | 2                | 194-1           | ரயத்துவாரி<br>மனை | 0-1.20                 | 2.00            | 2025/N108/33/002636,<br>Digitally Signed :S Lourdu<br>samy,<br>Revenue Divisional Officer,<br>2025-07-25 13:11:52.047 |

குறிப்பு



- மேற்கண்ட நத்தம் நில உரிமை விபரங்கள் நத்தம் தூய அடங்கலின் உண்மை நகல் என சான்றளிக்கப்படுகிறது. இவற்றை தாங்கள் <https://eservices.tn.gov.in> என்ற இணைய தளத்தில் பதிவிறக்கம் செய்துகொள்ளவும்.
- இத்தகவல்கள் 30-08-2025 அன்று 04:24:54 PM நேரத்தில் அச்சடிக்கப்பட்டது.
- கைப்பேசி கேமராவின் 2D barcode படிப்பான் மூலம் இத்தகவல்களை இயணத்தளத்தில் சரிபார்க்கவும்.

மேற்குறிப்பிட்டுள்ள புல எண்/உட்பிரிவு எண் நத்தம் நிலவரித்திட்டத்தின் போது நத்தம் அடங்கலில் சேர்க்கப்பட்டுள்ளது.



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9. As patta has been issued, we deem it appropriate to write that all the rights and contentions of writ petitioner stand preserved for assailing the grant of patta *qua* said WP land, if so advised and if so desired. Cancellation of patta proceedings, if any and if that be so, will obviously be after affording an opportunity to the patta holders, including fourth respondent (private respondent). Therefore, we dispense with notice to fourth respondent (private respondent) in the captioned WP and take up the main WP in the Admission Board itself with the consent of learned counsel for writ petitioner and learned State counsel.

10. If cancellation of patta proceedings are initiated *qua* fourth respondent (private respondent) and/or any other similarly placed person(s), the same shall be dealt with on their own merits and in accordance with law untrammelled by instant order. In other words, this order will not impact the rights and contentions of fourth respondent (private respondent) and/or other similarly placed persons.



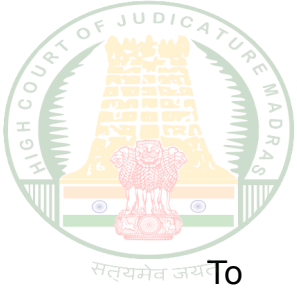
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11. Captioned WP stands disposed of as closed in the aforesaid manner, albeit with preservation of rights, as aforesaid. There shall be no order as to costs.

cad

(M.S., J.) (M.S.K.,J.)  
01.09.2025



W.P.No.32407 of 2025

To  
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1. The Collector of Kallakurichi District  
Collectorate  
Kallakurichi
2. The Revenue Divisional Officer  
Kallakurichi  
Kallakurichi District
3. The Revenue Tahsildar  
Vanapuram Taluk Office  
Vanapuram Taluk  
Kallakurichi District



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W.P.No.32407 of 2025

**M.SUNDAR, J.**

and

**MUMMINENI SUDHEER KUMAR, J.**

cad

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01.09.2025