



WP No. 37949 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 37949 of 2025

D.Prasuraman Devaraj
S/o.Devaraj, Thensiruvallur, Cheinna Salem Taluk,
Kallakurichi District 606204.

..Petitioner

Vs

1. The District Collector
Office Of The District Collector,
Kallakurichi District 606202.
2. The District Revenue Officer,
Office Of The District Revenue Officer,
Kallakurichi District 606213.
3. G.Vairamuthu,
S/o.Ganapathy, Thensiruvallur, Chinna Salem
Taluk, Kallakurichi District.606204.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st and 2nd respondents to consider petitioner representation for removal of encroachment S.No.35,36, 39,50,50/ 1,51 /1,97, 121, 123 in Thensiruvallur Revenue Village of Chinnasalem Taluk at Kallakurichi District dated 25/11/2024 within time limit fixed by this Court.



WP No. 37949 of 2025

For Petitioners : Mr.R.K.Arjun Raj
For Respondents : Mr.T.Chezhiyan
Additional Government Pleader
- for RR 1 and 2
R3 - Notice dispensed with

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

The prayer sought for herein is for a Writ of Mandamus directing the 1st and 2nd respondents to consider petitioner representation for removal of encroachment S.Nos.35,36, 39,50,50/ 1,51 /1,97, 121, 123 in Thensiruvallur Revenue Village of Chinnasalem Taluk at Kallakurichi District dated 25/11/2024 within time limit fixed by this Court.

2. In respect of the land at S.Nos. 35,36, 39,50,50/ 1,51 /1,97, 121, 123 in Thensiruvallur Revenue Village of Chinnasalem Taluk at Kallakurichi District, it is the contention of the petitioner that it is a public pathway, which is being encroached by the third respondent. Therefore, in order to remove the said encroachment, a detailed representation has been made by the petitioner to the second respondent on 25.11.2024. However, the same has not been acted upon by the second respondent. Therefore, the petitioner has moved the present writ petition with the aforesaid prayer.



WP No. 37949 of 2025

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3. Heard Mr.R.K.Arjun Raj learned counsel for the petitioner and Mr.T.Chezhiyan, learned Additional Government Pleader for the official respondents. In view of the order that is going to be passed in this writ petition, notice to the third respondent is dispensed with.

3. Learned Additional Government Pleader would submit that the representation has been given only to the second respondent and if at all any action has to be taken with regard to the alleged encroachment by the third respondent or any other third party, on the public road, it has to be taken by the Revenue Tahsildar and therefore if a representation is forwarded to the Revenue Tahsildar, certainly action would be taken.

4. In view of the said submission made by the learned Government Pleader appearing for the respondents 1 and 2, having regard to the afore stated facts and circumstances, this writ petition is disposed of with the following orders:

- (a) There shall be a direction to the second respondent to forward the representation dated 25.11.2024 submitted by the petitioner with regard to the alleged encroachment by



WP No. 37949 of 2025

the third respondent in the land in question is concerned, who in turn, on receipt of such representation, shall act upon the said representation by verifying as to whether there has been any encroachment in the land in question by the third respondent or any third party.

(b) If any encroachment is found, the needful action can be taken at the earliest, preferably within a period of three months from the date of receipt of the representation being forwarded by the second respondent or submitted by the petitioner along with a copy of this order.

(c) The petitioner shall also submit a representation to the Revenue Tahsildar concerned along with a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

(R.S.K.,J.) (H.C.,J.)
04-11-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
KST



WP No. 37949 of 2025

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Office Of The District Collector, Kallakurichi District
606202.
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District 606213.



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WP No. 37949 of 2025

**R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.**

KST

WP No. 37949 of 2025

04-11-2025

Page 6 of 6