



WEB COPY

WP No. 34788 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 34788 of 2025

Thavamani
W/o.Pichaiyapillai, No.130(1)road Street,
Mannambadi Veppur Thalukka, Mannampadi,
Vilangattur, Virudhachalam, Cuddalore-606 302

..Petitioner

Vs

- 1.The District Collector
Cuddalore District
- 2.The Thasildar
Veppur Taluk, Cuddalore District
- 3.Revenue Thasildar
Veppur, Cuddalore District
- 4.State Rep By Its
Inspector Of Police, Virudhachalam, Cuddalore
District
- 5.Pichaipillai
S/o.Perumal, Mannampadi Village, Veppur
Taluk, Cuddalore District

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 2nd respondent forthwith remove the encroachment made by the 5th respondent in S.No.122 Classified as Road at Mannambadi village, Virudhachalam, Cuddalore District.

For Petitioner : Ms. S.Gajalakshmi



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For Respondents : Mr.S.Arumugam
Government Advocate - for RR 1 to 4
R5 - Notice dispensed with

ORDER

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

In respect of a village road at S.No.122, Mannambadi Village, Vilangattur, Virudhachalam Taluk, Cuddalore District, pursuant to the complaint given by the petitioner, the alleged encroachment of the road or portion of the road by the fifth respondent viz., Pichaipillai was acted upon by the reveue authorities viz., the second and third respondents and in this regard, a communication had been issued on 27.03.2025 by the second respondent Tahsildar stating that, procedure as contemplated under Section 7 as well as 6 of Act 3 of 1905 having been followed, the removal of encroachment since has to be taken in the first week of April 2025 and necessary police protection has been sought for from the 4th respondent / Inspector of Police. However according to the petitioner, even thereafter nothing moved forward and the encroachment has still not been removed. Therefore, he has approached this Court by filing the present writ petition seeking a writ of mandamus as prayed for herein above.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 4. In view of the order that is going to be passed in this writ petition, notice to the 5th respondent is dispensed with.

3. Learned Government Advocate would submit that, already proceedings have been initiated under Act 3 of 1905 against the 5th respondent. Therefore, if



some time is granted further action will be taken to remove the encroachments, contended.

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4. Recording the said submission made by the learned Government Advocate appearing for respondents 1 to 4, this Court is inclined to dispose of this writ petition with a direction to the respondents 1 to 4 especially respondents 2 and 3 as well as 4 to act upon on the request already made in this regard by the petitioner which has been taken note of by the second respondent through his proceedings dated 27.03.2025 and if any encroachment is found out on the part of the 5th respondent on the public road, thereby the ingress and egress of others including the petitioner is affected as claimed by him, necessary action as contemplated under Act 3 of 1905 shall be taken, of course after giving notice to the 5th respondent in accordance with law, at the earliest point of time preferably within a period of four weeks from the date of receipt of a copy of this order. With the above direction, this writ petition is disposed of. No costs.

(R.S.K.,J.) (H.C.,J.)
06-10-2025

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

KST



To

1. The District Collector
Cuddalore District

2. The Thasildar
Veppur Taluk, Cuddalore District

3. Revenue Thasildar
Veppur, Cuddalore District

4. State Rep By Its
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**R.SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.**

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