



W.P.No.3904 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.02.2025

CORAM

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

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

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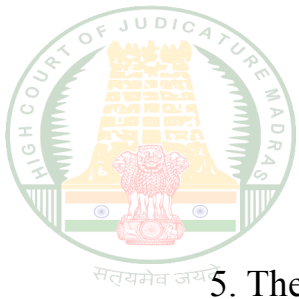
R.Senthilkumar
S/o.Ramasamy

... Petitioner

VS

1. The District Collector
Office of the District Collector
Namakkal
Namakkal District – 637 001
2. The District Revenue Officer
Office of the District Revenue Officer
Namakkal
Namakkal District – 637 001
3. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Namakkal
Namakkal District – 637 001
4. The Tahsildar
Office of the Tahsildar
Rasipuram Taluk
Namakkal District – 637 408

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5. The Village Administrative Officer
Office of the Village Administrative Officer
Pattanam Muniyappanpalayam Village
Rasipuram Taluk
Namakkal District – 637 407

6. The Block Development Officer
Office of the Block Development Officer
Rasipuram Panchayat Union
Namakkal District – 637 408

7. The Village Panchayat President
Pattanam Muniyappanpalayam Village
Rasipuram Taluk
Namakkal District – 637 407

8. P.Selvaraj
S/o.Palaniappa Gounder

9. S.Alagesan
S/o.Sengoda Gounder

10. Sengoda Gounder

11.S.Raji
S/o.Sengoda Gounder

12. S.Suresh
S/o.Subramani

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Mandamus directing the respondents 1 to 7 to take
necessary steps against encroachers who are 8 to 12 herein and to retrieve



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the wing of Perumpalli Oodai situated in Pudur Malayalapatti Village, Pattanam Muniyappanpalayam Revenue Village, Rasipuram Taluk, Namakkal District – 637 407 from the encroachments within a specified period fixed by this Court by considering the last representation of the petitioner dated 19.09.2024.

For Petitioner : Mr.M.Kavikannan

For Respondents : Mr.T.K.Saravanan
Government Advocate for R1 to R7

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.M.Kavikannan, learned counsel on record for writ petitioner is before us.



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3. Adverting to a representation dated 19.09.2024, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Perumpalli Oodai situated in S.Nos.18, 19, 32 and 33 in Pudur Malayalapatti Village, Pattanam Muniyappanpalayam Revenue Village, Rasipuram Taluk, Namakkal District – 637 407' [hereinafter 'said land' for the sake of convenience and clarity] by R8 to R12 before us. To be noted, R8 to R12 are private respondents.

4. Considering the obtaining position, we are of the view that the captioned WP can be disposed of by ordering notice to official respondents (R1 to R7) and putting in a safety valve / adequate protection qua alleged encroachers i.e., R8 to R12.

5. Issue notice to official respondents i.e., R1 to R7.

6. Mr.T.K.Saravanan, learned Government Advocate, accepts notice for R1 to R7.



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7. 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, main WP was taken up.

8. It was submitted by learned Government Advocate that G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 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.

9. 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, Namakkal District, the third respondent herein, qua G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022.

10. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment qua said land. The Divisional Monitoring Committee shall also ensure that adequate and ample opportunity is given to persons concerned more particularly alleged



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encroachers (R8 to R12) before taking a call. In this regard, we are acutely conscious that the matter is being disposed of in Admission Board without notice to alleged encroachers and therefore, this safety valve is put in place. 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 its own merits and in accordance with law untrammelled by this proceedings in this Court.

11. The Divisional Monitoring Committee qua G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022, shall (if it comes to the conclusion that there is encroachment) report the encroachment for further action (for removal of encroachment which again shall be after giving adequate and ample opportunity to alleged encroachers). The entire exercise shall be completed within a period of twelve weeks from today i.e., by 05.05.2025.

12. It is open to the WP 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 are any change of circumstances.



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13. 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.

14. 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.)

(K.G.T.,J.)

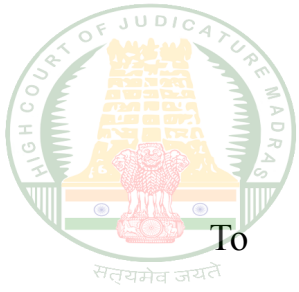
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Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking order

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