



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

AND

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

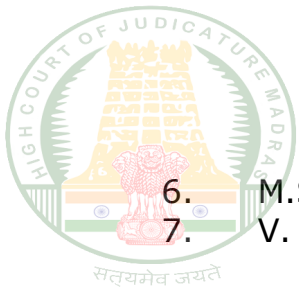
W.P.No.33108 of 2023 and W.M.P. No.32797 of 2023

P. Leelavathy

Petitioner

vs.

1. The District Collector
Collectorate
Palladam Road
Tiruppur 641 604
2. The Commissioner
Tiruppur City Municipal Corporation
Mangalam Road
Tiruppur 641 604
3. The Tashildar
Tiruppur North
157, Kumaran Road
Kannapiran Colony
Valipalayam
Tiruppur 641 601
4. The Village Administrative Officer
Thottipalayam Village
Tiruppur District
5. Maakaliyamman Temple
Rep. by its Trustees
Indira Nagar
1st Street, Off Avinashi Road
Tiruppur 641 003



6. M.S.M. Anand
7. V. Palanisamy

8. C. Govindasamy

9. P. Rathinasamy

10. M. Govindasamy

11. S. Ravichandran

12. E. Manohar

13. M. Manikandan @ Alagumalai

14. R. Moorthi

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents 1 to 3 to demolish the unauthorised construction in the poromboke lands in T.S.No.3 and 4 in Block No.34 in Ward No.H (Old T.S.No.157, 158, 159, 160 and 162) of Tiruppur Corporation and restore the pathway by considering the petitioner's representation dated 05.09.2023.

For petitioner

Mr. N. Manokaran
for Mr. N. Ponraj

For RR 1, 3 & 4

Mr. M.S. Arasakumar
Government Advocate

For R2

Mr. Abishek Murthy
Standing Counsel

For RR 5 to 14

Mr. A. Sundaravardan
for Mr. V. Anandhamurthy



WEB COPY

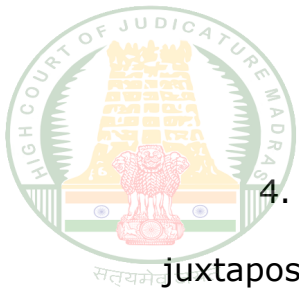
ORDER

(made by M. SUNDAR, J.)

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

2. Mr. N. Manokaran, learned counsel representing Mr. N. Ponraj, learned counsel on record for writ petitioner, Mr. M.S. Arasakumar, learned Government Advocate appearing on behalf of RR 1, 3 and 4, Mr. Abishek Murthy, learned Standing Counsel appearing on behalf of R2 and Mr.A.Sundaravardan, learned counsel representing Mr. V. Anandhamurthy, learned counsel on record for RR 5 to 14, are before us.

3. Adverting to a representation dated 05.09.2023 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'T.S.Nos.3 and 4 in Block No.34 in Ward No.H (Old T.S.No.157, 158, 159, 160 and 162) of Tiruppur Corporation' [hereinafter 'said lands' for the sake of convenience and clarity] by RR 6 to 14. To be noted, RR 6 to 14 are private respondents.



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 finally disposed of.

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.

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, Tiruppur, *qua* said GO.



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

WEB COPY

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 09.10.2025.

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.

11. We make it clear that we have not expressed any view or opinion as to whether there is encroachment or not *qua* said lands 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



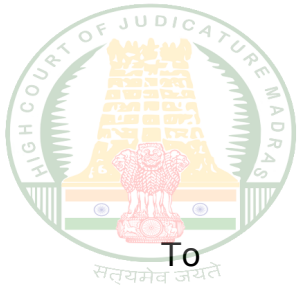
apply to patta land and it will apply only to public land, if there is any encroachment in public land.

WEB COPY

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.)
03.07.2025

cad
Index : Yes/No
NC : Yes/No



To

WEB COPY

1. The District Collector
Collectorate
Palladam Road
Tiruppur 641 604
2. The Commissioner
Tiruppur City Municipal Corporation
Mangalam Road
Tiruppur 641 604
3. The Tashildar
Tiruppur North
157, Kumaran Road
Kannapiran Colony
Valipalayam
Tiruppur 641 601
4. The Village Administrative Officer
Thottipalayam Village
Tiruppur District
5. The Revenue Divisional Officer
Tiruppur



WEB COPY

W.P.No.33108



M. SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

cad

W.P.No.33108 of 2023

03.07.2025