



W.P.No.39866 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR**

W.P.No.39866 of 2025

J.Babu

... Petitioner

-Vs-

1. The District Collector,
Kanchipuram,
Kanchipuram District.
2. The Joint Director,
District Town and Country Planning Department,
Chengalpattu.
3. The Block Development Officer,
Kundrathur Panchayat Union,
Padappai - 601 301.
4. The President,
Padappai Selection Grade Panchayat,
Padappai - 601 301.
5. Tmt.Misthriya Begum

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents 1 to 4 to take appropriate action against the fifth respondent and to remove the compound wall put up by them by obstructing 23 feet width road situated between Plot Nos.64 & 65 of SK Avenue, Padappai, Sriperumbuthur (TK), Kanchipuram District and consequently, forbear the fifth respondent from putting up any further construction or obstruction in 23 feet width road in between Plot Nos.64 & 65 within a period fixed by this Court.

For Petitioner : Mr.R.Jaikumar

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate for R1 & R2
Mr.K.Suresh,
Government Advocate for R3 & R4
Notice dispensed with for R5

ORDER

(Order of the Court was made by **R.SURESH KUMAR, J.**)

The prayer sought for herein is for a writ of mandamus to direct the respondents 1 to 4 to take appropriate action against the fifth respondent and to remove the compound wall put up by him by obstructing 23 feet width road situated between Plot Nos.64 & 65 of SK Avenue, Padappai, Sriperumbuthur (TK), Kanchipuram District and consequently, forbear the fifth respondent from putting up any further construction or obstruction in 23 feet width road in



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between Plot Nos.64 & 65.

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2. In order to remove alleged encroachment made by the fifth respondent, as regards 23 feet width public road at Plot Nos.64 & 65 of SK Avenue, Padappai, Sriperumbuthur (TK), Kanchipuram District, the petitioner has given a representation on 19.05.2025 to the first respondent / District Collector and a copy of which has been marked to the other official respondents. Since no action has been taken by the official respondents, he has approached this Court by filing the present writ petition with the aforesaid prayer.

3. Heard Mr.R.Jaikumar, learned counsel appearing for the petitioner, Mr.R.P.Murugan Raja, learned Government Advocate appearing for the respondents 1 & 2 and Mr.K.Suresh, learned Government Advocate appearing for the respondents 3 & 4. In view of the order that is going to be passed in the writ petition, notice to the fifth respondent is dispensed with.

4. Mr.R.P.Murugan Raja, learned Government Advocate appearing for the respondents 1 & 2 and Mr.K.Suresh, learned Government Advocate appearing for the respondents 3 & 4 would submit that, based on the representation given



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by the petitioner dated 19.05.2025, the survey would be conducted by the third respondent with the help of the Taluk Surveyor or Firka Surveyor with regard to the land in question after giving notice both to the petitioner as well as the fifth respondent, thereafter if there has been encroachment on the part of the fifth respondent or any other third party, that would be dealt with in accordance with the procedure established under law.

5. Having regard to the said submissions made by the learned Government Advocate appearing for the official respondents 1 to 4, this Court is inclined to dispose of the writ petition with the following orders:

(i) there shall be a direction to the respondents 1 to 4, especially the third respondent to conduct survey in the land in question pursuant to the representation dated 19.05.2025 in the presence of the petitioner as well as the fifth respondent to whom separate notice be given in advance and thereafter, if any encroachment is found having been made either by the fifth respondent or any other third party, the same can be dealt with by the third respondent in accordance with law.

(ii) The needful as indicated above shall be undertaken by the third respondent within a period of two months from the date of receipt of a copy of this order.



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6. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs.

(R.S.K., J.) (H.C., J.)
10.11.2025

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The District Collector,
Kanchipuram,
Kanchipuram District.
2. The Joint Director,
District Town and Country Planning Department,
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3. The Block Development Officer,
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**R.SURESH KUMAR, J.
and
HEMANT CHANDANGOUDAR, J.**

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