



W.P.No.37307 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

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

W.P.No.37307 of 2025

J.Deepa

... Petitioner

-Vs-

1. The District Collector,
The District Collector Office,
State Bank Road,
Coimbatore - 641 018.
2. The Revenue Taluk Officer,
The Revenue Taluk office,
Madhukarai,
Coimbatore - 641 105.
3. The Executive Officer,
Municipality Office,
st
1 Grade Municipality,
Vellalore,
Coimbatore - 641 111.
4. The Commissioner of Police,
Commissioner Office,
Coimbatore - 641 018.
5. The Director General of Police,
Director General Office,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.



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6. Mampuli Mani

7. N.Sathish

8. N.Ramesh

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the third respondent to implement his own order vide proceedings of Na.Ka.No.789/2025 dated 25.06.2025 for removal of illegal construction on the reserved site for formation of public road and dispose the same in time bound manner as known to law.

For Petitioner : Ms.V.S.Usharani

For Respondents : Mr.S.Arumugam
Government Advocate for R1 to R5

O R D E R

(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 third respondent to implement his own order vide proceedings in Na.Ka.No.789/2025 dated 25.06.2025 for removal of illegal construction on the reserved site for formation of public road and dispose the same in time bound manner as known to law.

2. In respect of Survey No.754/2A1 at 3rd Ward, Theneeswaran Nagar, Vellalour Panchayat in Coimbatore District, it is the claim of the petitioner that, it is the public road which had been encroached upon by the private



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respondents 6, 7 & 8 and they have put up some compound wall constructions and planted trees. Therefore, in order to remove such encroachment, already representation had been given by the petitioner which was considered by the third respondent and he has sent a communication on 25.06.2025 whereby the private respondents were directed to remove such encroachment within one week period. Despite the same, so far no removal of such encroachment been made by the private respondents and also the official respondents have not taken any action against them. Therefore, the petitioner in order to implement the said proceedings of the third respondent dated 25.06.2025 has approached this Court by filing the present writ petition.

3. Heard Ms.V.S.Usharani, learned counsel appearing for the petitioner and Mr.S.Arumugam, learned Government Advocate appearing for the official respondents 1 to 5. In view of the order that is going to be passed in the writ petition, notice to the private respondents 6, 7 & 8 is hereby dispensed with.

4. Mr.S.Arumugam, learned Government Pleader appearing for the official respondents has produced written instructions / proceedings / letter dated 30.07.2025 issued by the third respondent to the second respondent, i.e., Revenue Taluk Officer concerned to take necessary action for removal of such



encroachment after finding out such encroachment by way of measuring the land.

5. Relying upon this communication, the learned Government Advocate would submit that, the second respondent / Revenue Taluk Officer has proposed to survey the property by next week and thereafter only, the exact encroachment of the private respondents would be found out, based on which, further suitable action in accordance with law in coordinating with the third respondent would be taken by the second respondent, he contended.

6. Having regard to the said submissions made by the learned Government Advocate appearing for the official respondents and taking note of the aforesaid facts, this Court is inclined to dispose of the writ petition with the following orders:

that there shall be a direction to the respondents 2 & 3 to act upon as per the communication dated 25.06.2025 of the third respondent as well as his further communication dated 30.07.2025 and in this context, the second respondent / Revenue Taluk Officer after giving notice to the private respondents shall complete the survey and find out the encroachment if any made by the private respondents and



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based on which after serving a report to the third respondent, necessary removal of encroachment drive can also be initiated by the second respondent. If such an encroachment is found out on the part of the private respondents, the same shall be removed especially under the provisions of the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905) within a reasonable period as contemplated under the provisions of the said Act itself.

7. 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.)
13.10.2025

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

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