



W.P.No.35982 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.35982 of 2025

R.Jothi Jashvarajan

.. Petitioner

Vs.

1. The District Collector
Collectorate, Kallakurichi – 606 602.
2. The Revenue Divisional Officer
Thirukovilur, Kallakurichi District – 605 757.
3. The Tahsildar
Thirukovilur Taluk
Kallakurichi District – 605 757.
4. The Commissioner
Municipality Office, Thirukovilur
Kallakurichi District – 605 757.
5. The Assistant Divisional Engineer
(C & M Wing), State Highways Department
Thirukovilur, Kallakurichi District - 605 757.
6. The Assistant Engineer
(C & M Wing), State Highways Department
Thirukovilur, Kallakurichi District – 605 757.
7. Ragu @ Ragoth
8. Rajakumar
9. Sanmugam
10. Shanthi
11. Prakash
12. Arumugam
13. Siva

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of mandamus, directing the 1st to 6th respondents to remove the illegal encroachments made by the 7th to 13th respondents on street (Government Land), and to restore the street to its original shape and condition, comprising in S.No.895/1, situated at, Sevalai Road, Thirukovilur Municipality, Kallakurichi District.

For the Petitioner : Mr.J.Agni Selvaraju

For the Respondents : Mr.S.Arumugam
Government Advocate
for R1 to R3

Mr.A.Selvendran
Special Government Pleader
for R5 and R6

Mr.P.Srinivas
Standing Counsel
for R4

Notice Dispensed With for R7 to R13

ORDER

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

Prayer sought herein is for a writ of mandamus, to direct respondents 1 to 6 to remove the illegal encroachments, made by respondents 7 to 13, on street (Government Land) and to restore the street to its original shape and condition, comprising in S.No.895/1, situated at Sevalai Road, Thirukovilur Municipality, Kallakurichi District.



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2. In respect of the public street at S.No.895/1, situated at Sevalai Road, Thirukovilur Municipality, Kallakurichi District, there have been a number of encroachments by putting up temporary sheds/shops by various people, including the private respondents herein, by thus, the *ingress* and *egress* of the public in street is being hindered. Therefore, in order to remove such encroachments, the petitioner had already given a representation to the Official respondents on 21.06.2025 and since the same has not evoked any response, the petitioner has moved the present writ petition, being a nearby resident.

3. Heard *Mr.S.Arumugam*, learned Government Advocate for respondents 1 to 3, *Mr.A.Selvendran*, learned Special Government Pleader for respondents 5 and 6 and *Mr.P.Srinivas*, learned Standing Counsel for respondent 4. In view of the order that is going to be passed in this writ petition, notice to the private respondents are hereby dispensed with.

4. Photographs have been filed by the petitioner, which shows that, apart from the permanent structure on the street, which might be either belonging to the fourth respondent Municipality or the



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third respondent Revenue Department, there are temporary shops put up by tin sheets, where, it seems that commercial activities are going on. Because of these encroachments, continuously being made by several persons, allegedly including the private respondents, certainly, the *ingress* and *egress* of the public in the street concerned would be hindered.

5. Hence, we give a direction to the Official respondents, especially the third and fourth respondents, that is the Revenue Tahsildar and the Commissioner of Thirukovilur Municipality, to verify whether the land, in which such encroachments have been made by the private individuals or any third parties, either belongs to the third respondent Revenue Department or the fourth respondent Municipality and accordingly, action could be taken either under the provisions of the Tamil Nadu Land Encroachment Act, 1905 or the Tamil Nadu Urban Local Bodies Act, 1998, by the respective respondents after giving notice to the private respondents as well as any other third parties who claim to be encroachers of the said land and take action within a period of eight weeks from the date of receipt of a copy of this order in accordance with law.



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6. With these directions, the writ petition is disposed of.

However, there shall be no order as to costs.

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

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Speaking Order/Non-Speaking Order

Neutral Citation:Yes/No

Internet:Yes/No

Index:Yes/No

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To:

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