



WEB COPY



W.P.No.1954 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.1954 of 2025

N.Mohamed John

.. Petitioner

VS

1.The Director Collector,
District Collector Office,
Krishnagiri.

2.The Revenue Inspector,
Kaveripattinam,
Krishnagiri District.

3.The Thasildar,
Krishagiri Taluk,
Krishnagiri.

4.The Executive Officer,
Kaveripattinam Town Panchayath Office,
Krishnagiri

5.S.Sathathunisa

6.J.K.S Babu

.. Respondents



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Prayer : Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus, directing the respondents 1 to 4 to remove the encroachment and unauthorized construction raised by respondents 5 and 6 on Government Poramboke land in Survey No.612/21 measuring an extent of 0.62 Sq. mtrs as per proceedings of second respondent dated 09.12.2024 and thereby render justice.

For Petitioner : Ms.R.Sripriya

For Respondents : Mr.A.Edwin Prabakar
State Government Pleader
assisted by Mr.Habeeb Rahman,
Government Advocate,
for R1 to R3
Mr.T.S.Baskaran
for R5

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Ms.Sripriya states that after this petition was filed, this Court, by an order dated 14.02.2025 in W.P.No.4867 of 2025 filed by the fifth respondent, has given a direction to the authority and pursuant thereto, notice has been issued for surveying the alleged encroachments.



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2. Mr.Prabakar states that joint survey will be conducted, after giving notice to the parties.

3. Mr.T.S.Baskaran for respondent No.5, states that all permissions, including plans, are in place for constructing the alleged encroachments. He shall produce all documents to petitioner as well as the authorities during the hearing. He says that respondent No.5 has also filed a suit for declaration that the pathway belongs to him and is not a common pathway.

4. In view of this statement, and since proceedings have already been initiated, nothing would survive in the petition.

5. Petition stands disposed. There shall be no order as to costs.

6. Mr.Prabakar states the survey will be conducted within two weeks and orders passed by 30.04.2025.



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7. We express no opinion on the merits of the suit.

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(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ,J.)

06.03.2025

Index : Yes/No
NC : Yes/No
mrn

To:

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- 2.The Revenue Inspector,
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Krishnagiri District.
- 3.The Thasildar,
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THE HON'BLE CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ.J.

(mrn)

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