



W.P.No.43581 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

AND

THE HONOURABLE MRS.JUSTICE GOVINDARAJAN THILAKAVADI

W.P.No.43581 of 2025

Rathinam (alias) V.Rathinamma .. Petitioner

Vs.

1. The District Collector
District Collectorate Office, Fort Main Road
Salem, Salem District – 636 001.
2. The District Revenue Officer
Salem South, District Collectorate Office
Fort Main Road, Salem
Salem District – 636 001.
3. The Revenue Divisional Officer
Salem South, Subramaniya Nagar
Suramangalam, Salem 636 005.
4. The Tahsildar
Salem South, Maniyanur
Nethimedu, Salem District – 636 002.
5. The Village Administrative Officer
Amani Kondalampatti, Village
Salem South Taluk, Salem District 636 010.

6. V.Chakkaravarthi

7. V.Muthu

8. M.Kubendren

9. V.Raja

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of mandamus, directing the respondents 1 to 4 to remove the encroachment of public road encroaching by respondents 6 to 9 in S.No.97/43, 97/42 as per G.O.(Ms)No.540, Revenue [LD6(2)] Department dated 04.12.2014 and the provisions of the Tamil Nadu Land Encroachment Act, 1905.



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For the Petitioner : Mr.P.Ebenezer Paul
For the Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

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

Prayer sought herein is for a writ of mandamus, to direct the respondents 1 to 4 to remove the encroachment in the public road by respondents 6 to 9 in S.Nos.97/43 and 97/42 as per G.O. (Ms)No.540, Revenue [LD6(2)] Department dated 04.12.2014 and the provisions of the Tamil Nadu Land Encroachment Act, 1905.

2. In order to remove the encroachments in the public road at S.Nos.97/43 and 97/42, as stated in the prayer of this writ petition, the petitioner has given a representation already to the Revenue Authorities, based on which, since no fruitful action has come from them, the petitioner has moved the present writ petition with the aforesaid prayer.

3. Heard *Mr.P.Ebenezer Paul*, learned counsel for the petitioner and *Mr.R.P.Murugan Raja*, learned Government Advocate for respondents 1 to 5. In view of the order that is going to be passed in this writ petition, notice to respondents 6 to 9 is hereby



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dispensed with.

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4. The learned Government Advocate appearing for the respondents 1 to 5 would submit the written instructions given by the fourth respondent/Tahsildar, Salem (South) dated 27.11.2025, where, he has stated the following:-

[illegible]

Relying upon this written instructions, the learned Government Advocate would submit that, after survey, since it was found that



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there has been encroachments on the part of the private respondents, necessary action would be taken against them by invoking the provisions of the Tamil Nadu Land Encroachment Act, 1905.

5. Recording the said statement made by the learned Government Advocate, there shall be a direction to the fourth respondent/Tahsildar to issue appropriate notice to the private respondents under the provisions of the Tamil Nadu Land Encroachment Act, 1905 and thereafter, take action to remove such encroachments on the public road and such needful action shall be undertaken by the Tahsildar within a period of two months from the date of receipt of a copy of this order.

6. With these directions, the writ petition is disposed of. However, there shall be no order as to costs.

(R.S.K., J.)

(K.G.T., J.)

28.11.2025

Speaking Order/Non-Speaking Order

Neutral Citation:Yes/No

Internet:Yes/No

Index:Yes/No

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To:

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R. SURESH KUMAR, J.
AND
K. GOVINDARAJAN THILAKAVADI, J.
(drm)

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