



WEB COPY



WP No. 40795 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 40795 of 2025 AND

WMP NO. 45705 OF 2025

1. M.Elangovan
S/o.Mariyannan, Collikadu, Near Annamar
Kovil, Sanarappatti Post, Mettur Taluk,
Salem District
2. Devi
W/o.Govindaraj, Collikadu, Near Annamar
Kovil, Sanarappatti Post, Mettur Taluk, Salem
District

..Petitioners

Vs

1. The District Collector
Salem District, Salem.
2. The Revenue Divisional Officer
Mettur, Salem District
3. The Tahsildar
Mettur Taluk Office, Mettur,
Salem District
4. The Block Development Officer
Nagavalli Village Panchayat, Nangavalli,
Salem District
5. Rajendran
6. Annamalai



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7. Selvam
8. Dhanasekaran
9. Ganesan
10. Palanisamy
11. Aitha

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 11 on the Government land classified as Kallankuthu in S.No.404/1 situated at Vanavasi village, Mettur Taluk, Salem District based on the petitioners representation dated 12.1.2024 and 18.8.2025.

For Petitioners : Mr.S.Doraisamy
for Mr.V.Elangovan
For Respondents : Mr.S.Arumugam
Government Advocate - for R1 to R3
Mr.A.M.Ayyadurai
Government Advocate - for R4
Notice dispensed with - R5 to R11

Order

(Order of the Court was made by R.Suresh Kumar J.)

The prayer sought for herein is for a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 11 on the Government land classified as Kallankuthu in S.No.404/1 situated at



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Vanavasi village, Mettur Taluk, Salem District based on the petitioners representation dated 12.1.2024 and 18.8.2025.

2. Learned counsel for the petitioner submits that the land at S.No.404/1 situated at Vanavasi village, Mettur Taluk, Salem District is a Government Poramboke land which is categorised as Kallankuthu Poramboke and the same is also used as a pathway ie., பாதை by others including the petitioners. However, the same has been recently encroached upon by the private respondents. Hence, in order to remove such encroachment, originally a representation was given by the petitioners on 12.01.2024 followed by another reminder on 18.08.2025. Despite these requests and reminder, no action since has been taken by the Revenue officials, the petitioners have moved the present writ petition.

3. Heard Mr.S.Arumugam, learned Government Advocate appearing for respondents 1 to 3 and Mr.A.M.Ayyadurai, learned Government Advocate for the 4th respondent. In view of the order that is going to be passed in this writ petition, notice to respondents 5 to 11 is dispensed with.

4. Learned Government Advocates appearing on behalf of the respondents would submit that the land in question is certainly a Government land ie.,



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Kallankuthu Poramboke, where, whether there has been a pathway available or not would be ascertained by conducting a survey and thereafter necessary action would be taken to evict the encroachers under the provisions of the Land Encroachment Act.

5. In view of the said stand taken by the learned Government counsel and having regard to the facts of the case, this Court is inclined to dispose of this writ petition with a direction to the official respondents especially the third respondent to conduct a survey in respect of the land in question and after finding out any encroachment, the needful action under the Land Encroachment Act can be taken to evict such encroachers. The needful as indicated above shall be undertaken within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.
W.M.P.No.45705 of 2025 is ordered as prayed for.

(R.S.K.,J.) (H.C.,J.)
29-10-2025



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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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To

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**R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.**

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