



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)Nos.17546 of 2017 & 13362 of 2019
and
W.M.P(MD)No.9943 of 2019**

1.W.P(MD)No.17546 of 2017:

D.Rameshkumaran

... Petitioner

vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul.

3.The Revenue Divisional Officer,
Palani, Dindigul District.

4.The Tahsildar,
Vedachandur Taluk,
Dindigul District.

5.Rajappan

... Respondents

1/8



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

WEB COPY

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the official respondents to completely clear the encroachment made by the fifth respondent on the Hindu Religious and Charitable Endowment land in Survey No.303 of Kuttam Village including to remove the new gate put up by him for the purpose of an encroachment.

For Petitioner	: Mr.R.Sevugaraja
For RR 1 & 2	: Mr.P.Subbaraj Special Government Pleader
For RR 3 & 4	: Mr.P.Thilak Kumar Government Pleader
For R – 5	: Mr.A.V.Arun

2.W.P(MD)No.13362 of 2019:

Tatapathy ... Petitioner

vs.

- 1.The District Collector,
Dindigul, Dindigul District.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul.



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

WEB COPY

4.The Tahsildar,
Vedasandur Taluk, Dindigul District.

5.The Block Development Officer,
Vedasanthur Panchayat Union,
Vedasanthur, Dindigul District.

6.Packiam

7.Akila

8.Babu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 5 to survey and demarcate and fix the boundaries of S.No.303, Kanimar Kovil land in Kuttam Village, Vedasanthur Taluk, Dindigul District and also restore the Odai running through the S.No.303 to its original position by removing all the encroachments and permit the petitioner and the villagers of Kuttam, Viruthalaipatti, Kalvarpatti, V.Puthukottai and Boothipuram of Vedasanthur Taluk, Dindigul District to plant and raise trees and fence the entire property and maintain it out of their own funds without staking any claim or right over the property or in the alternative direct the respondents 1 to 5 to maintain the above said land without encroachment and by fencing it.

For Petitioner : Mr.H.Lakshmi Shankar

For RR 1 & 4 : Mr.P.Thilak Kumar
Government Pleader

For RR 2 & 3 : Mr.P.Subbaraj
Special Government Pleader

For R – 5 : Mr.M.Rajarajan

For RR 6 to 8 : Mr.A.V.Arun



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

WEB COPY

COMMON ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

Today, when the matter is taken up for hearing, the learned Government Pleader, based on the written instructions, submitted that the encroachments have been removed.

2.The learned counsels appearing for the petitioners submitted that the encroachment is blocking the access way for the free flow of water. A private road has been formed by the private respondents to reach their own land.

3.However, the removal is now disputed by the petitioners. Therefore, the submission of the authorities that the encroachments have been removed deserves to be re-visited.

4.In view of the above, the petitioners are at liberty to submit a clear complaint setting out the encroachments as stated by them to the competent authorities of the HR & CE Department and the revenue authorities, who in turn, can conduct a field inspection with reference to the revenue records and if



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

WEB COPY

encroachments exist as of now, all appropriate actions are directed to be initiated to remove the encroachments by following the procedures as contemplated under the relevant Act and Rules. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
02.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

WEB COPY

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul.
- 3.The Revenue Divisional Officer,
Palani, Dindigul District.
- 4.The Tahsildar,
Vedachandur Taluk,
Dindigul District.
- 5.The District Collector,
Dindigul, Dindigul District.
- 6.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai.
- 7.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul.
- 8.The Tahsildar,
Vedasandur Taluk,
Dindigul District.



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

WEB COPY

9.The Block Development Officer,
Vedasanthur Panchayat Union,
Veadasanthur,
Dindigul District.



WEB COPY



W.P(MD)Nos.17546 of 2017 & 13362 of 2019

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)Nos.17546 of 2017 & 13362 of 2019

DATED : 02.07.2025