



W.P.(MD)No.25323 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.25323 of 2025

S.Kuppusamy

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Velunachiyar Complex,
Dindigul District.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Palani,
Dindigul District.

3.The Block Development Officer,
Ottanchathram Panchayat Union,
Ottanchathram Taluk,
Dindigul District.

4.The Tahsildar,
O/o.The Tahsildar,
Ottanchathram Taluk,
Dindigul District.

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5.The Village Administrative Officer,
O/o.The Village Administrative Office,
Ambilikai Village, Ottanchathram Taluk,
Dindigul District.

6.K.Sadaiappan,
S/o.Karupana Gounder,
Chithalaipatti Village, Ottanchathram Taluk,
Dindigul District.

7.K.Selvaraj,
S/o.Karupana Gounder,
Chinthalaipatti Village, Ottanchathram Taluk,
Dindigul District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the respondents No.1 to 5 to remove the encroachments made by the respondents No.6 and 7 in respect of Street in Natham Survey No.215/1 and the Public Pathway in Survey No.215/12 and 215/30 situated at Chinthalapatti Village, Ottanchathirram Taluk, Dindigul District by considering the petitioner's representation dated 06.08.2025 within the time stipulated by this Court.

For Petitioner : Mr.T.Thiurmurugan

For Respondents : Mr.J.Ashok (R1, R2, R4 & R5)
Additional Government Pleader

: Mr.M.Sarangan (R3)
Additional Government Pleader

:Mr.N.Madhava Govindan (R6 & R7)



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ORDER

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(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

The prayer is for a Mandamus directing the official respondents to remove the encroachments allegedly made by R6 and R7 in the street in Natham Survey No.215/1 and the public pathway in Survey Nos.215/12 and 215/30, Chinthalapatti Village, Ottanchathiram Taluk, Dindigul District.

2.We had fixed the date of survey on 19.09.2025 at 11.00 a.m., by order dated 16.09.2025.

3.On 06.10.2025, the following order was passed:

'Read this order in continuation of and in conjunction with order dated 16.09.2025, which reads as follows:

“Mr.J.Ashok, learned Additional Government Pleader accepts notice for R1, R2, R4 and R5, Mr.M.Sarangan, learned Additional Government Pleader for R3 and Mr.N.Madava Govindan, learned counsel accepts notice for R6 & R7.

2.Prayer of the petitioner is for a mandamus directing the official respondents to clear the street in Natham S.No.215/1 and the public pathway in S.No.215/12 and 215/30, situated at Chinthalapatti Village, Ottanchathiram Taluk, Dindigul District of encroachments.



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3.Mr.J.Ashok, informs us that the representation of the petitioner to similar effect has been received and that the proceedings to commence the survey are ongoing.

*4.Since both the petitioner as well as the private respondents are duly represented by counsel before us, we fix the date of commencement of survey on **19.09.2025 at 11.00 a.m.**, and it would be appropriate that the petitioner and the private respondents are present for the survey.*

*5.List on **06.10.2025.***

6.Counter / report by then with a copy served in advance on the other side."

2.Mr.Ashok, confirms that survey has been completed and five encroachments have been identified.

3.In the report dated Nil, October 2025, the Tahsildar, Oddanchatram states that necessary action has been taken in terms of the Tamil Nadu Land Encroachment Act, 1905. Necessary notices will be issued within one week from today.

4.A copy of the report be supplied to the petitioner forthwith in order to enable him to obtain instructions and file objections, if any.

*5.List on **14.10.2025.'***

4.Learned counsel for R7 has filed a counter, denying the allegation of encroachment and has also produced a compilation of documents, including patta and other documents, in support of his case.



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5.That apart, Mr.Ashok, learned Additional Government Pleader appearing for official respondents, produces written instructions confirming the position that survey has revealed the existence of encroachment prima facie and that notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, were issued on 16.10.2025. He also produces a copy of the notice, which indicates prima facie that the same has been received and acknowledged by various individuals. A copy of the notice has been handed over to Mr.N.Madhava Govindan, learned counsel appearing for R6 & R7, who will also transmit the same to R6 & R7 by way of abundant caution, to ensure that they have duly received the notices.

6.In the aforesaid circumstances, there is no necessity for us to keep the Writ Petition pending any longer. We expect the proceedings will be taken to their logical conclusion and orders will be passed within six weeks from today, after hearing the writ petitioner as well as R6 & R7.



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7.As the purpose of the Writ Petition now stands achieved, this

Writ Petition is closed. No costs.

[A.S.M.J.] & [C.K.J.]
11.11.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
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To

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