



W.P No. 6498 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA, CHIEF JUSTICE

AND

THE HON'BLE MR JUSTICE R. SURESH KUMAR

WP No. 6498 of 2026

P.N.Selvam,
s/o.Late P.L.Narasimman, VI-198, Aanjineyar
Street, Kaattukottaai, Pannavadi Post,
Kolathur, Mettur Taluk, Salem District 636303.

..Petitioner

Vs

1. The Block Development Officer,
Kolathur Union Office, Kolathur, Mettur
Taluk, Salem District 636303.
2. The Village President,
Pannavadi Panchayat Office, Pannavadi,
Kolathur, Mettur Taluk,
Salem District 636303.
3. The Tahsildar,
Tahsildar office, Mettur Taluk,
Salem District 636401.
4. The Sub - Collector,
Sub - Collector Office, Mettur,
Salem District 636401.
5. The Assistant District Rural Development
Officer, Collectorate,
Salem District 636001.

..Respondents



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call records and quash the impugned order of the 1st Respondent in Mu.Mu.2983-2025-00 dated 10/10/2025 and to remove the unauthorized illegal construction made by the 1st Respondent in S.No.65/5, Dinnapatti Village, Mettur Taluk, Salem.

For Petitioner : Mr.A.Kumar

For Respondents : Mr.K.Karthik Jagannath
Government Advocate – for R1 to R5

Order

(Order of the Court was made by The Chief Justice)

This writ petition is filed by the petitioner seeking the following relief.

“ To quash the impugned order of the 1st Respondent in Mu.Mu.2983-2025-00 dated 10/10/2025 and to remove the unauthorized illegal construction made by the 1st Respondent in S.No.65/5, Dinnapatti Village, Mettur Taluk, Salem.”

2. According to the learned counsel for the petitioner, the land on which the check dam is being constructed, belongs to the petitioner in his ownership and title. According to the petitioner, the land which was the subject matter of donation by one Prakasam S/o Narasimha Reddy is different and while constructing the check dam, instead of using the 20 cents of land said to have been donated by the said Prakasam, the



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petitioner's land has been encroached by the authorities. He would submit that the land has not been acquired by following due process of law.

3. The report which is on record ie., the proceedings drawn by the Revenue Divisional Officer, Mettur dated 10.10.2025, does not show that there is any admission on the part of the respondents that they have taken over the land of the petitioner. The dispute appears to be more of factual nature. The proceedings shows that the land admeasuring 20 cents was earlier donated by one Prakasam S/o Narasimha Reddy.

4. If the petitioner's grievance is that the petitioner's land has been illegally encroached upon, it can be redressed by only filing a suit and not by filing a writ petition. The order of the Supreme Court relied upon by the petitioner is not applicable and distinguishable on facts that it is not an admitted position on record herein that the land of the petitioner has been taken without following proper procedure and payment of compensation.



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The writ petition is dismissed. However, there shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (R.SURESH KUMAR J.)

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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636303.
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