



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 30-03-2026**

CORAM

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM**

**AND**

**THE HON'BLE MR.JUSTICE K.KUMARESH BABU**

**WP No. 13041 of 2024**

Rajavel

..Petitioner(s)

Vs

1. The District Collector  
District Collectors Office,  
Dharmapuri District 636 705
2. The Superintendent Of Police  
District Police Office,  
Dharmapuri District 636 705
3. The District Revenue Officer  
Dharmapuri District 636 705
4. The Revenue Divisional Officer  
Dharmapuri Revenue Division,  
Dharmapuri District 636 701
5. The Additional Director- Survey And  
Land Settlement, District Collectors Office,  
Dharmapuri District 636 705
6. The Executive Engineer- Water Resources  
Public Works Department, Near District  
Collectors Office, Dharmapuri District 636 705
7. The Tahsildar  
Karimangalam Taluk Office, Karimangalam  
Taluk, Dharmapuri District 635 111
8. The Block Development Officer  
Karimangalam Development Block,  
Karimangalam Taluk,  
Dharmapuri District 635 111



9. The President  
Kongarapatti Panchayat, Karimangalam  
Taluk, Dharmapuri District 635 202

10. Pushpa

11. Palani

12. Sampath

13. Selva Kumar

14. Thirumal

15. Kandhan

16. Arul @ Arulanandham

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of mandamus directing the respondents No. 1 to 9 herein to remove the encroachments in the Survey No. 53 to the extent of 23.78.50 Hectare and the pathway encroachments made in Survey No. 48 to the extent of 12.5 ft wide river pathway in the Kongarapatti Revenue Village in the Karimangalam Taluk of the Dharmapuri District classified as "Thenpennai river" made by Respondents No. 10 to 16 and others as per G.O. Ms.No.64, Revenue and disaster Management Department- Land Disposal wing LD 6 (2) Section dated 08.02.2022 within the stipulated time prescribed by this Court.

For Petitioner(s): Mr. D.Senthil Kumar

For Respondent(s): Mr.T.Arun Kumar  
Additional Government Pleader for R1,3&9  
Mr.M.Babu Muthumeeran  
Additional Public Prosecutor for R2  
Mr.C.Prabakaran for R10-26

**ORDER****(Order of the Court was made by S.M.Subramaniam J.)**

WEB COPY

Writ of mandamus has been instituted to direct the respondents No. 1 to 9 herein to remove the encroachments in the Survey No. 53 to the extent of 23.78.50 Hectare and the pathway encroachments made in Survey No. 48 to the extent of 12.5 ft wide river pathway in the Kongarapatti Revenue Village in the Karimangalam Taluk of the Dharmapuri District classified as “Thenpennai river” made by Respondents 10 to 16 and others as per G.O. Ms.No.64, Revenue and disaster Management Department- Land Disposal wing LD 6 (2) Section dated 08.02.2022 within the stipulated time prescribed by this Court.

2. Learned Additional Government Pleader appearing for the respondents 1, 3 to 9 would submit that encroachments are identified. The alleged encroacher preferred an appeal before the District Collector under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as ‘Act’). Only after disposal of the statutory appeal, all further enforcement action will be taken by the competent authority.

3. Learned counsel for the respondents would oppose by stating that the respondents 10 to 16 are the owners of the subject properties. They have produced necessary documents before the District Collector to establish their ownership.



4. May that as it be, District Collector has to conduct an enquiry in respect of the statutory appeal under Section 10 of the Act, and dispose of the same within a period of 12 weeks from the date of receipt of copy of this order.

After disposal of the statutory appeal, all further action, if necessary, shall be taken by following the procedure as contemplated under the law.

5. Accordingly, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

**(S.M.S.,J.) (K.B.,J.)**  
**30-03-2026**

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

GD

To

1. The District Collector  
District Collectors Office, Dharmapuri District  
636 705
2. The Superintendent Of Police  
District Police Office, Dharmapuri District 636  
705
3. The District Revenue Officer  
Dharmapuri District 636 705
4. The Revenue Divisional Officer  
Dharmapuri Revenue Division, Dharmapuri  
District 636 701
5. The Additional Director- Survey And  
Land Settlement, District Collectors Office,  
Dharmapuri District 636 705
6. The Executive Engineer- Water Resources



Public Works Department, Near District  
Collectors Office, Dharmapuri District 636 705

7. The Tahsildar

Karimangalam Taluk Office, Karimangalam  
Taluk, Dharmapuri District 635 111

8. The Block Development Officer

Karimangalam Development Block,  
Karimangalam Taluk, Dharmapuri District 635  
111

9. The President

Kongarapatti Panchayat, Karimangalam  
Taluk, Dharmapuri District 635 202



WEB COPY

WP No. 13041 of 2



**S.M.SUBRAMANIAM, J.  
AND  
K.KUMARESH BABU, J.**

**GD**

**WP No. 13041 of 2024**

**30-03-2026**