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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-11-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WP No. 13122 of 2024

CNR:{HCMA010862322024}

Case QR

M.Suresh,
S/o. Manoharan, Vellaripattu Madura,
Chengampoondi Village, Cheyyar Taluk,
Tiruvannamalai District.

..Petitioner

Vs

1. The Revenue Divisional Officer(r.D.O),
   Revenue Divisional Office, Cheyyar,
   Tiruvannamalai District.

2. The Thasildar, Taluk Office, Cheyyar,
   Tiruvannamalai District.

3. M.Karthi,
   S/o. Murugan, Vellaripattu Madura,
   Chengampoondi Village, Cheyyar Taluk,
   Tiruvannamalai District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the 1st and 2nd respondents to evict the encroachment house construction on the public pathway of PATTAI PORAMBOKKU and water drainage area in the petitioner village panchayat survey No. 241N/28 by the 3rd Respondent

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For Petitioner(s): Mr.K.R.Arun Shabari
For Respondent(s): Mr.B.Sivakollappan
Additional General Pleader- for R 1,2
No appearance for R -3

Order

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

This writ of mandamus has been instituted to direct the respondents to remove the encroachments in the public pathway.

2. With reference to the relief sought for in the writ petition, the Tahsildar filed a status report, which would reveal that the revenue authorities conducted the survey and identified the encroachments. The subject land has been classified as Paattai Poramboke and Water drainage area. In respect of the same land, it is further classified as Grama Natham. In view of the said factual position, the authorities have already initiated enforcement action by issuing a show cause notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905.

3. Regarding the Grama Natham lands, the Government is empowered to regulate such lands in terms of Revenue Standing Order 25. Mere occupation without any assignment or authority of law would not confer any right to the occupant to claim ownership or right. Such unauthorised occupants are to be treated as encroachers and they are liable to be evicted

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by following the procedures as contemplated under the Tamil Nadu Land Encroachment Act, 1905. Grama Natham lands are to be utilised either for public purpose or to be allotted to the homeless poor persons for construction of dwelling house. The extent of such allotment may not exceed 3 cents as per the RSO.

4. This being the legal position, the official respondents are directed to continue the enforcement action already initiated and remove the encroachments by following the procedures as contemplated under the Act and Rules. The entire exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

(S.M.S.,J.) (R.R.V.,J.)
23-11-2026

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

KST

To

1. The Revenue Divisional Officer(r.D.O),
   Revenue Divisional Office, Cheyyar,
   Tiruvannamalai District.

2. The Thasildar, Taluk Office, Cheyyar,
   Tiruvannamalai District.

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S.M.SUBRAMANIAM J.
AND
R.RAJESH VIVEKANANTHAN J.

KST

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