



WEB COPY

WP No. 14073 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K. SURENDER**

**WP No. 14073 of 2024
and
WMP No. 15257 of 2024**

A.Gandhimathi
W/o.Late.Archunan, G.P.Nagar, Periyakurichi,
Cuddalore District 607802.

..Petitioner(s)

Vs

1. The District Collector
Cuddalore District.
2. The Tahsildar
Vridhachalam Taluk, Vridhachalam.
3. Block Development Officer
Kammapuram Block, Cuddalore District.
4. Sumathi W/o.Muthulingam
G.P.Nagar, Periyakurichi,
Cuddalore District 607802.

..Respondent(s)

To call for the records of 3rd respondent made in Na.Ka.No.C4/64/2024 dated 06.05.2024 and to quash the same and consequently direct the 3rd respondent to conduct a field inspection and to decide about the nature of the sump construction and the permissibility of the said construction.

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For Petitioner(s): Ms.R.Nithyashree

For Respondent(s): Mr.T.Arun Kumar,
Addl.G.P. for R1 & R2
Dr.S.Suriya,Addl.G.P. for R3

**ORDER**

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

The Memorandum dated 06.05.2024 issued by the Block Development Officer, Kammapuram, Cuddalore District, is under challenge in the present writ proceedings.

2. The said Memorandum would show that the petitioner has constructed a septic tank on a public road belonging to the Panchayat and the said septic tank is causing health hazard to the people residing in that locality. However, the petitioner constructed the septic tank by encroaching the public road belonging to Periakuruchi Panchayat. Thus, a notice was issued asking the petitioner to remove the septic tank.

3. A show cause notice issued by the authorities for removal of septic tank constructed in the public road *per se* would not provide a cause for institution of a writ petition. If at all the petitioner claims any right over the land in which the specific tank has been constructed, she has to submit her explanation along with the documents to establish her case. However, the petitioner, instead of submitting her explanation, has chosen to file the present writ petition.

4. In view of the facts and circumstances, the petitioner is at liberty to submit her explanation along with the documents to defend her case within a period of two weeks from the date of receipt of a copy of this order. On receipt of any such representation, the authorities shall once again conduct field



inspection and survey and ascertain the encroachments if any, made by the petitioner and thereafter, initiate enforcement action to ensure that any encroachment on public road is removed by following the procedures as contemplated under the relevant statute and rules in force. 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. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (K.S.,J.)
01-04-2026

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

VSI

To

1. The District Collector
Cuddalore District.
2. The Tahsildar
Vridhachalam Taluk, Vridhachalam.
3. Block Development Officer
Kammapuram Block, Cuddalore District.



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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

vsi

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