



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

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**THE HON'BLE DR JUSTICE G. JAYACHANDRAN
AND
THE HON'BLE MRS.JUSTICE N. MALA**

Writ Petition No. 18315 of 2026
and
W.M.P.No. 19660 of 2026

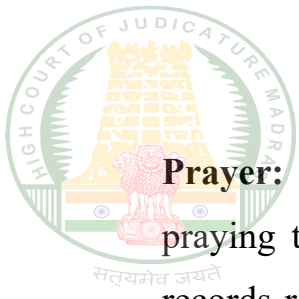
A.Padmaraj

..Petitioner

Vs

1. The District Collector
Tiruvannamalai Collectorate,
Thiruvannamalai District.
2. The District Revenue Officer
Collectors Office,
Tiruvannamalai.
3. The Revenue Divisional Officer (RDO)
Arani Revenue Division,
Arani-632 301
4. Tahsildar
Arani Taluk,
Arani-632 301
5. Commissioner
Arani Municipal Corporation,
Arani-632 301
6. Taluk land Surveyor
Arani Taluk, Arani.

..Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a **Writ of Certiorarified Mandamus**, calling for the entire records relating to the impugned proceedings in Ref. No. Na.Ka. 3034/ 2015/ F1 dated 16.04.2026 issued by the 5th respondent and to quash the same as without proper verification of records, unlawful and arbitrary and consequently direct the respondents to treat the petitioners property in Survey Nos.65 and 68/4, E6 Block, Arani Town as patta and as issued and not an encroachment, and forbear the respondents from in any manner interfering with the petitioners peaceful possession and enjoyment of the property.

For Petitioner: Mr.T.Sivaganasambandan

For Respondents: Mr. B.Sivakollapan
Government Advocate For R1 to R4 and R6

Mr.Juwairia For
M/s.T.K. Saravanan, GA For R5

ORDER

(Order of the Court was made by Dr.G.Jayachandran J.)

Pursuant to the order passed by this Court in W.P.No.10612 of 2025 filed by one Rani Poornachandran, an encroachment in T.S.No.64/1 (classified as Municipal Street) was sought to be removed.

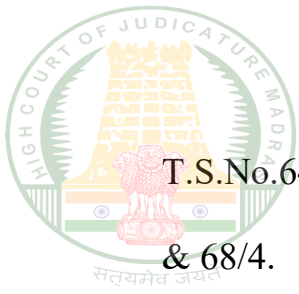
2. The Commissioner of Arani Municipality, in spite of litigations, issued a removal notice under Section 128(1) &(2) of Tamil Nadu Urban Local Bodies Act, 1998, directing the writ petitioner to remove the encroachment found in Survey No.64/1. Challenging this order, the petitioner has filed the present writ petition, alleging that his patta land in Survey No.65 and 68/4 was



wrongly identified as the encroachment land. The petitioner contends that the authorities are attempting to evict him from his patta land, where he has constructed a permanent structure comprising a bedroom, kitchen and toilet, under the guise of removing encroachment on Government Poramboke land.

3. Since there were contradictory claims regarding the revenue records, an interim stay of eviction order was granted by this Court on 06.05.2026 and the Government was directed to file its counter affidavit. Subsequently, it was represented to the Court by the respondents that only the encroached portion of the municipal street sought to be removed and the construction made by the petitioner on his patta land would not be disturbed. This statement was recorded by this Court on 18.06.2026 and the matter was adjourned for further hearing.

4. The Tahsildar of Arani, filed a detailed counter affidavit dated 21.06.2026, clarifying the discrepancies regarding the survey numbers. The counter affidavit explained that the encroachment was identified in survey No.64/1 E-Block, Arani Town. Taking note of the order passed by this Court on 18.06.2026, ensuring that the constructions on the petitioner's patta land remain undisturbed, the authorities proceeded to remove the actual encroachment to an extent of 0.0043 sq.mts., on 09.06.2026. The counter affidavit is also specifically stated that the authorities have removed the encroachment only in



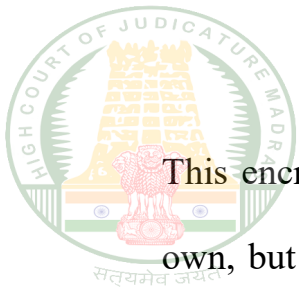
T.S.No.64/1 (Municipal Street) and did not disturb any structure in T.S.Nos.65 & 68/4.

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5. The petitioner filed a rejoinder stating that there is an inherent error in the survey map and the physical identification of the encroachment. He contends that the authorities failed to take note of the dismissal of a civil suit. A contradictory status report filed by the revenue authorities in other parallel proceedings would clearly show that the authorities have lost their neutrality and favouring the private respondents who initiated the writ proceedings in W.P.No.10612 of 2025, followed by a contempt petition No.3207 of 2025.

6. The learned counsel appearing for the petitioner referring to the celebrated judgment of the Hon'ble Supreme Court in ***M.S.Gill Vs. Union of India***, submitted that an impugned order cannot be improved or altered. He further submitted that the initial survey reports were frequently altered and that the present counter-affidavit is an attempt to substitute the original stand of the revenue authorities.

7. We find that the judgment cited by the learned counsel for the petitioner does not apply to the facts of the present case. This is a case where the petitioner has admittedly encroached upon Government land, specifically a Municipal Street, taking advantage of its proximity to his adjoining patta land.



This encroachment was identified and removed by the authorities not on their own, but under the persistent monitoring and specific directions issued by this Court.

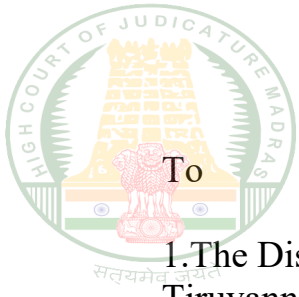
8. From the rejoinder, we find that the petitioner herein is aggrieved by the removal of certain portion of his construction, claiming title over an extent of 0.0043 sq.mtr., on the ground that it falls within his patta lands in Survey No.65 and T.S.No.68/4. If the removed structures had fallen within his patta land, there would be merit in his submissions. However, the counter affidavit filed by the Tahsildar clearly establishes that encroachment made in T.S.No.64/1 alone was removed. While so, we find that without any right over the land in Survey No.64/1, the petitioner cannot have grievance upon the action taken by the authorities.

9. Accordingly, this Writ Petition stands dismissed. Consequently, the connected Miscellaneous Petition stands closed. No costs.

(Dr.G.J.,J.) (N.M.,J.)
29-06-2026

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

rp1



To

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Tiruvannamalai Collectorate,
Thiruvannamalai District.

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WP No. 18315 of 2



DR.G.JAYACHANDRAN J.
and
N.MALA J.

rpl

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and
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29-06-2026