



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 19117 of 2022

R.Selvaraj

..Petitioner

Vs

1. The District Collector,
Office of District Collector,
Kallakurichi-606 213,
Kallakurichi District.
2. The Revenue Divisional Officer / Sub Collector,
Office of Revenue Divisional Officer, Kallakurichi,
606 213,
Kallakurichi District.
3. The Tahsildar,
Office of Tahsildar,
China Salem-606 201,
Kallakurichi District.
4. The Block Development Officer,
Office of B.D.O., (Village Panchayat),
China Salem-606 201,
Kallakurichi District.
5. The Village Administrative Officer
Office of V.A.O.,
Koogaiyur Village and Post- 606 301
Chinna Salem Taluk,
Kallakurichi District.
6. Mr.Durairaj

..Respondents



Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents 1 to 5 to take necessary steps to remove the Encroachment made by the 6th respondent by extending his house construction in the street land in Survey No. 325 of Koogaiyur Village, Chinna Salem Taluk, Kallakurichi District and enable the village people to get free usage of the said road / street.

For Petitioner : Mr.G.Sai Narayanavasan,
for Mr.V.R.Appaswamee

For Respondents : Mr.T.Arun Kumar,
Addl. Govt. Pleader for R1 to R5

Mr.B.Balaji for R6

ORDER

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

The Writ of Mandamus has been instituted to direct the respondents 1 to 5 to take necessary steps to remove the encroachment made by the 6th respondent by extending his house construction in the street land in Survey No. 325 of Koogaiyur Village, Chinna Salem Taluk, Kallakurichi District and enable the village people to get free usage of the said road / street.

2. The learned Additional Government Pleader would submit that the encroachments are identified and enforcement actions are commenced, but yet to be completed.



3. The learned counsel for the 6th respondent would submit that he has produced documents to establish his right.

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4. If at all the 6th respondent claims any title or ownership, he has to approach the competent civil Court of law for establishing his rights. Neither the Revenue Authorities nor the Writ Court will be in a position to decide the disputed facts relating to civil rights. As far as the removal of encroachment is concerned, the Authorities are bound to conduct enquiry as contemplated under statute and Rules in force and thereafter proceed with the enforcement action and proceed with the same as expeditiously as possible. Since in the present case, the enforcement actions are initiated, the said action are to be concluded.

5. With the above direction, the present Writ Petition is **disposed of**.

No costs.

(S.M.S.,J.) (K.S.,J.)
12-03-2026

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

DSA



To

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Kallakurichi District.
2. The Revenue Divisional Officer / Sub
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Office of Revenue Divisional Officer,
Kallakurichi, 606 213,
Kallakurichi District.
3. The Tahsildar,
Office of Tahsildar,
China Salem-606 201,
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4. The Block Development Officer,
Office of B.D.O., (Village Panchayat),
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

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