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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WP.No.27773 of 2026
CNR:{HCMA011282952026}

N.Nallusamy

..Petitioner

Vs

1. The District Collector,
   Namakkal District,
   Namakkal.

2. The District Revenue Officer,
   Namakkal District,
   Namakkal,

3. The Revenue Divisional officer,
   Thiruchengodu Division,
   Namakkal District.

4. The Revenue Tahsildar,
   Paramathi Vellore Taluk,
   Namakkal District.

5. The Special Tahsildar.
   Adi-Dravidar Welfare Department,
   Paramathi Vellore Taluk,
   Namakkal District.

6. The Revenue Inspector,
   Jadarpalayam Firka,
   Paramathi Vellore Taluk,
   Namakkal District.

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7. The Village Administrative Officer,
   Kothamangalam Village,
   Paramathi Vellore Taluk,
   Namakkal District.

8. The District Registrar,
   Office of the District Registrar Office,
   Namakkal District. Namakkal.

9. The Sub Registrar,
   Office of the Sub Registrar Office,
   Vellore Namakkal District.

10. Rasammal

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 9 to remove the encroachment in Survey Nos.328/50, 51 52, 53 Kothamangalam Village, Paramathi Vellore Taluk, Namakkal District encroachment made by the 10th respondent and further direct the respondents 1 to 9 to maintain the Government Poromboke land without any encroachment and to maintain as public purpose as per revenue records.

For Petitioner: Mr.A.Praveen
For Respondents: Mr.S.Rishab Narayanan
Government Advocate For R1 to R9
Mr.L.Mouli For R10

ORDER

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

With reference to the relief sought for in the present writ petition, the Tahsildar, Paramathivelur filed a counter affidavit.

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2.Reading of the counter affidavit would show that the revenue authorities conducted survey and found the following position emerged from the official records and field inspection:

(i) S.No.328/50:

Though reflected as vacant in the village account, the land had been granted to Thangavel under HSD/236/1405 dated 09.08.1995 and his son Prakash is presently stated to be in possession and enjoyment after putting up a house.

(ii) S.No.328/51:

The village account reflects the land as vacant; however, field inspection reports revealed that the 10th respondent, Rasammal, has encroached put up a cement-sheet house and is residing therein.

(iii) S.Nos.328/52 and 328/53:

The lands are covered by Patta No.435 and the subsequent revenue records reflect transfer of the combined extent in favour of the 10th respondent pursuant to registered Document No.595/2024 dated 19.02.2024 and the consequential revenue proceedings.

3.However, in paragraph 37 of the counter affidavit, the Tahsildar has stated that S.No.328/51 to an extent of 0.0156.5 sq.m. has been encroached upon by the 10th respondent by putting up cement sheet

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house and she is residing there. The Tahsildar further stated that due process of law will be followed for removal of encroachment.

4.In view of the details provided in the counter affidavit filed by the Tahsildar, this Court is inclined to direct the official respondents to initiate enforcement action in respect of the encroachments identified by following the procedures as contemplated under the Tamil Nadu Land Encroachment Act and remove the encroachments. 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.

5.With these directions, the Writ Petition stands disposed of. No costs.

(S.M.S.,J.) (R.R.V.,J.)
30-10-2026

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

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