



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 27059 of 2024

Mariammal

W/o.Kandasamy, No.2/92, Manganur,
Kanjanaicken Patti Village, Salem District 636305.

..Petitioner(s)

Vs

1. The District Collector
Office Of The District Collector, Salem District.
2. The Revenue Divisional Officer
Mettur, Salem District.
3. The Thasildar
Office Of The Thasildar, Kadaiyampatty Taluk
Office, Kadaiyampatty, Salem District.
4. The Block Development Officer
Block Development Office, Kadaiyampatty
Post And Taluk, Salem District.
5. Ramakrishnan
S/o.Rama Gounder, Kanjanaicken Patti
Village, Kadaiyampatty Taluk, Salem District.

..Respondent(s)

To direct the respondents 1 to 4 herein to call for the entire records in Na.Ka.No.443/2024/A3 dated 15.08.2024 of the 3rd respondent herein and to quash the same so far as the writ petitioner is concerned and directing the respondents 1 to 4 to accept the petitioners patta land in S.no.34/2 equivalent to that of S.No. 34/13 Kanjanaicken patti Village, Kadaiyampatty Taluk, Salem District.



For Petitioner(s): Mr.M.Balasubramanian

For Respondent(s): Mr.T.Arunkumar,
Addl.G.P. for R1 to R4
No appearance for R5

ORDER

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

The order dated 15.08.2024, rejecting the claim of the petitioner for exchange of land is under challenge in the present writ petition.

2. The revenue authorities identified the encroachments in government lands and all the encroachers were evicted admittedly, except the petitioner who made an offer for exchange of land.

3. Learned Additional Government Pleader would submit that the Government land under encroachment is a valuable land and the authorities have not entertained the offer made by the petitioner for exchange of land.

4. Exchange of land can never be claimed as an absolute right by the encroacher. The offer made by the petitioner was not considered by the Government. The Government, being the competent authority is to accept the exchange of land and mere recommendation by Tahsildar would not be of any avail to the petitioner to secure any orders in the present writ petition. That apart, the learned Additional Government Pleader would submit that the



Government land under encroachment is a valuable land and the authorities are not inclined to consider the request of the petitioner.

WEB COPY

5. In any event, there is no order passed by the Government accepting the offer made by the petitioner. That being the case, the petitioner continue to be an encroacher, as of now. Thus, there is no impediment for the authorities to evict the petitioner from the Government land by following the procedures as contemplated under the relevant provisions of law. Since the other encroachers have already been evicted, the petitioner who is an encroacher also shall be evicted by following the procedures within a period of twelve weeks from the date of receipt of a copy of this order.

6. With these directions, the writ petition stands dismissed. No costs.

(S.M.S.,J.) (K.S.,J.)
11-03-2026

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

VSI

To

1. The District Collector
Office Of The District Collector, Salem District.
2. The Revenue Divisional Officer
Mettur, Salem District.
3. The Thasildar
Office Of The Thasildar, Kadaiyampatty Taluk
Office, Kadaiyampatty, Salem District.



4. The Block Development Officer
Block Development Office, Kadaiyampatty
Post And Taluk, Salem District.
5. Ramakrishnan
S/o.Rama Gounder, Kanjanaicken Patti
Village, Kadaiyampatty Taluk, Salem District.



WEB COPY

WP No. 27059 of 2



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

VSI

WP No. 27059 of 2024

11-03-2026