



WEB COPY

WP No. 29020 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 29020 of 2022

AND WMP NO. 28307 & 28306 OF 2022

Chandra
w/o.Appusamy,
D.No.2/3-100, C.S.Puram Colony,
Chinnathanda, Lakkampatti,
Chinnathanda Post, Mettur Taluk,
Salem District-636 303.

Petitioner(s)

Vs

1. The District collector
Salem, Salem District.
- 2.the Sub Collector,
Mettur, Salem, Salem District.
- 3.the Tasildar,
Mettur, Mettur Taluk, Salem District.
- 4.The Revenue Inspector
Mettur Taluk, Salem District.
- 5.The Village Administrative Officer,
Lakkampatti Village, Periyathanda,
Kolathur, Mettur Taluk, Salem District

Respondent(s)

PRAYER

Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, Directing the respondents to restore and reconstruct the house of the petitioner comprised in S.No.561/30 situated at No.2, Lakkampatti Village, Mettur Taluk, Salem District and directing the respondents to pay the damages of Rs.10,00,000/ (Rupees ten Lakhs only).



For Petitioner(s): M/s. K.Prabhakaran
A.Sathasivam

For Respondent(s): Mr.A.U.Bharanidharan Agp
Takes Notice For Rr1 To 5
Counter Affidavit Filed

ORDER

This writ petition has been filed to direct the respondents to restore and reconstruct the house of the petitioner comprised in S.No.561/30 situated at No.2, Lakkampatti Village, Mettur Taluk, Salem District and directing the respondents to pay the damages of Rs.10,00,000/-.

2. The learned counsel for the petitioner would submit that in this case, on 15.07.2022, the respondent had entered into the petitioner's subject land and demolished the house without any prior notice. Hence, this petition.

3. In reply, the learned Additional Government Pleader appearing for the respondents would submit that the petitioner made an attempt to put up thatched shed at the subject property with a wrong motive to encroach the same. However, the said shed was removed by the Revenue Officials on 15.07.2022. After such removal, an original suit was filed by the petitioner before the District Munsif Court, Mettur. Pending the said suit, the petitioner had reconstructed a house in the subject land. Hence, in this case, the question of



restoring and reconstruction would not arise. Therefore, he prays for dismissal of this petition.

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4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and also perused the entire materials available on record.

5. In the case on hand, it appears that initially, the property in Survey No.561/30 was allotted to the petitioner. Thereafter, according to the respondents, the petitioner had encroached the property in Survey No.561/6 and made an attempt to put up a thatched shed therein. The said shed was removed by the Revenue Officials on 15.07.2022.

6. After the removal of shed, an original suit was filed by the petitioner in OS.No.2 of 2023 before the District Munsif Court, Mettur. Pending the original suit, the petitioner had reconstructed the house. Hence, as rightly contended by the respondent, at this stage, the question of restoration and reconstruction would not arise.

7. Now, the petitioner seeks the damages of a sum of Rs.10,00,000/-. However, the respondents are denying the allegations made by the petitioner. When such being the case, the only right course available to the petitioner is to



agitate his grievance before the District Munsif Court, where the original suit is pending.

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8. In view of the above, this Court is not inclined to interfere in this matter. Therefore, this writ petition is dismissed. No cost. Consequently, the connected miscellaneous petition is also closed.

04-03-2026

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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KRISHNAN RAMASAMY J.
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