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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

CORAM

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

WP.No.35339 of 2025
CNR:{HCMA011770532025}
and
WMP.Nos.39557 & 52535 of 2025

Case QR

L.P.Rajasekar

..Petitioner

Vs

1. The District Collector,
   Nilgiris District, Collectorate,
   Udhagamandalam.

2. The Block Development Officer,
   Udhagamandalam,
   Nilgiris District.

3. The Deputy Director,
   Public Health And Preventive Medicine,
   Udhagamandalam, Nilgiris District.

4. The Tahsildar,
   Kundha Taluk, Kundha Bridge Post,
   Nilgiris District.

5. The President,
   Balacala Panchayat, Kundha Taluk,
   Nilgiris District.

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6. R.Asokan

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent Nos.1 to 5 to take immediate steps for the removal of the encroachments and unauthorized constructions made by the sixth respondent inn the land bearing O.S.No.134/1, R.S.No.344/1, B.Manihatty Village, Balacala Panchayat, Kundha Taluk, Nilgiris district, belonging to the Government of Tamil Nadu as per the Deed of Indenture dated 16.02.1987 covered under Document No.160/1987 in accordance with law, within a time frame as may be fixed by this Court.

For Petitioner: Mr.Y.Prakash

For Respondents: Ms.R.K.Varshini
Government Advocate For R1, R3 & R4
Mr.J.Fanklin For R6
No appearance For R2 & R5

ORDER

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

Writ of Mandamus has been instituted to direct the respondents to remove the encroachments and unauthorised constructions.

2.The learned Government Advocate, based on the written instructions dated 12.11.2026 by the Tahsildar, would submit that field

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verification was carried out on 08.05.2025 by the Revenue Department, the authorities found that Mr.Asokan is running a grocery shop at the address in No.3/217G of Balacala Village in B.Manihatty of Kundah Taluk. The grocery shop is located in S.No.344/1 (old S.No.134/1). In the said Survey number, 10 cents of land has been granted for construction of Government Primary Health Centre by the Villagers of Manihatty Village. During survey verification on 06.05.2025, the authorities found that the total area in S.No.344/1 is 0.22.00 hectares (54 cents) and the chitta includes 51 joint pattadars without any subdivision. 10 cents of land alone has been given to Health Department to establish a Government Primary Health Centre. Therefore, the authorities found that there is no encroachment or unauthorised construction as alleged by the petitioner.

3.In view of the said factual position, the present Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

4.At this juncture, the learned counsel for the petitioner would

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submit that the Block Development Officer has issued lock and seal notice regarding unauthorised construction. If the said contention is right, there is no impediment for the authorities to proceed with the enforcement action as against the unauthorised construction, if any identified.

(S.M.S.,J.) (R.R.V.,J.)
18-11-2026

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

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To

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S.M.SUBRAMANIAM, J.
AND
R.RAJESH VIVEKANANTHAN, J.

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