



W.P.No.33993 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.33993 of 2022

R.Kandasamy
S/o.Ramaiyagounder

... Petitioner

VS.

1. The Collector
Salem District
Salem.
2. The Assistant Director
Town and Country Planning Department
Salem
Salem District.
3. The Revenue Divisional Officer
Attur,
Salem District.
4. The Tahsildar
Thalaivasal Taluk
Salem District.
5. The Block Development Officer
Thalaivasal
Salem District.

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6. The President
Pattuthurai Village Panchayat
Thalaivasal Taluk
Salem District.

7. Nallathambi
S/o.Aiyavu

8. Venkatesan
S/o.Nallathambi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the respondents 7 and 8 on the Thoppu Poramboke Government land in S.No.203/1 of Pattuthurai Village, Thalaivasal Taluk, Salem District to the extent of 2 acre which is including the public road and public well based on the orders passed by the respondents 2 and 4 in Na.Ka.No.3250/2021/A7 dated 11.11.2022 and O.Mu.10892/2017/A2 dated 06.11.2017 and retain the Government Poromboke land, public road and the public well for public usage.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 to R6
Mr.S.Mayilnathan, for R7 and R8



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ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The writ has been instituted to direct the respondents 1 to 5 to remove the encroachment made by the respondents 7 and 8 on the Thoppu Poramboke Government land in S.No.203/1 of Pattuthurai Village, Thalaivasal Taluk, Salem District to the extent of 2 acres, which includes the public road and public well, based on the orders passed by the respondents 2 and 4 in Na.Ka.No.3250/2021/A7 dated 11.11.2022 and O.Mu.10892/2017/A2 dated 06.11.2017 and retain the Government Poromboke land, public road and the public well for public usage.

2. The learned Additional Government Pleader would submit that the revenue authorities conducted a survey and identified encroachment. Thus, all further enforcement actions will be initiated for the removal of the encroachment.

3. The learned counsel for the respondents 7 and 8 would submit that a civil suit has been instituted. If at all the petitioner is able to establish his title / ownership, it is for him to secure appropriate relief from the Civil Court. However, mere pendency of the suit will not be an impediment for the revenue authorities to proceed with the enforcement actions, if the



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subject lands are already identified as Government Poromboke lands.

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4. The learned counsel for the petitioner would submit that the extent of Government land is 2 acres and the respondents 7 and 8 are already identified as encroachers.

5. Be that as it may, since the authorities have already conducted a survey and initiated enforcement actions, they shall proceed with the removal of encroachment by following the procedures as contemplated under the relevant Statutes and Rules in force. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above observations, the Writ Petition stands disposed of. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
06.04.2026

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

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

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