



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

Writ Petition No.45299 of 2025

A.Mathew
S/o.Arputharaj

..Petitioner

Vs

1. The District Collector,
Office of The District Collector,
7/1, State Bank Road, Gopalapuram,
Coimbatore-641 018.
2. The Tahsildar,
Valparai Taluk, Taluk Office,
MGR Nagar, Valparai,
Coimbatore District-642 127.
3. The Taluk Town Surveyor,
Valparai Taluk, Taluk Office,
MGR Nagar, Valparai,
Coimbatore District-642 127.
4. The Directorate of Town and Country
Planning,
2nd, 3rd and 4th Floor, C and E Market Road,
Koyamebdu, Chennai-600 107.
5. The Assistant Director/Joint Director (i/c)
The Directorate of Town and Country
Planning, Door No.50, FCI Road, Gandhimaa
Nagar, Ganapathy, Coimbatore-641 004.
6. The Chairman,
Coimbatore Local Planning Authority,
First Floor, Corporation Shopping Complex,
Raju Naidu Street, Sivananda Colony,
Coimbatore-641 012.



7. The Commissioner,
Valparai Municipality,
Valparai-642 127.

8. P.Rathinasamy
S/o.Periasamy

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 to 7 to remove the encroachment made by the eighth respondent in SF 43/1, Anamalai Hills Village, Valparai Taluk, Coimbatore District and to demolish the unauthorized construction put up thereon at 9/253H, Kakkan Colony, Valparai.

For Petitioner : Mr.A.R. Sakthivel

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader [R1 to R6]
No appearance [R7 & R8]

ORDER

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

This writ petition has been filed seeking for a direction to the respondents 1 to 7 to remove the encroachment made by the eighth respondent.

2. With reference to the relief sought for in this present writ petition, the Joint Director, Directorate of Town and Country Planning, filed a counter affidavit stating that a notice had been issued on 15.12.2025 to the eighth respondent directing him to provide approval details of the constructions and ownership documents within 7 days from the date of receipt of the notice,



failing which appropriate action will be taken under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act, 1971. The Joint Director is awaiting for the reply from the eighth respondent. Simultaneously, the Tahsildar, Valparai, has also initiated action to identify the land encroachment as alleged by the petitioner. Paragraph No.9 of the status report filed by the Tahsildar, Valparai, reads as under:

“9. In the present petition No.45299/2025 filed by Mr.A.Mathew, S/o.Arputharaj, his wife Mrs.jodhis has already been granted HSD Patta wide HSD Patta number 65/1417 in site no 46 for an extent of 60 square metre and she had got approved for the construction building from the Commissioner Valparai Municipality. As per HSD patta the wife of the writ petitioner has been granted only 60 sq meter in SF No.43/1 of Anaimalai Hills Village but during the course of the survey by the Taluk Deputy Surveyor, Valparai Taluk, it is found that she had encroached on the southern side on east – west 1.4 meter excess as well on eastern side South North 1 Meter in excess which works out 40 Sq. meter which is excess over and above of HSD Patta extent of 60 square meter. The writ petitioner in the W.P.No.35480/2023 who is the 8th respondent in the W.P.No.45299 of 2025 had encroached the following measurement of Municipal Play ground in S.F.No.43/1 (Old No.31/43/4)

Northern Side	-	East to West - 4.0 M
Sourthern Side	-	East to West - 4.4 M
Eastern Side	-	South to North - 8.8 M
Western Side	-	South to North - 8.0 M

and totally 35 square metres has been encroached in the above S.F.No.43/1 Municipal playground and constructed the dwelling house but sofar he had not obtained HSD Patta or any patta so far. Thiru.P.Rathinasamy S/o.Periasamy unauthorizedly encroached the government land and constructed the house for extent of 35 Sq Meter. (8th Respondent in the present writ petitioner W.P.No.45299/2025) Mrs.Jothis, W/o.Mathew has also encroached an extent of 40 Square Meter unauthorized along with the Site No.46 for which HSD patta issued only for 60 Sq.Meter. both of the writ petitioners have encroached the government land unauthorizedly and filling cases against each other including the officials for their own fault.”

3. Therefore, the Tahsildar, Valparai, has identified land encroachment and the Joint Director, Town and Country Planning, is in the process of



securing information regarding unauthorised constructions. This being the factum, the respondents 2 to 7 are directed to complete the enquiry and identify the land encroachment as well as unauthorised constructions and initiate enforcement action for removal of encroachments and to demolish the unauthorisedly constructed building. It is needless to state that the authorities are bound to follow the mandatory procedures as contemplated under the relevant Statutes and Rules in force. The said exercise is directed to be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above direction. No costs.

[S.M.S., J.] [K.S., J.]
29-04-2026

Index: Yes
Speaking order
Neutral Citation: Yes/No
gm



To

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

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