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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 41332 of 2025

Narasimmarajan

S/o. Late P.R. Narasimman, Balaguri Village,
Bellarampalli Post, Krishnagiri Taluk, Krishnagiri
District.

..Petitioner(s)

Vs

1. The District Collector
Krishnagiri District, Krishnagiri.
2. The District Revenue Officer
Krishnagiri District, Krishnagiri.
3. The Revenue Divisional Officer
Krishnagiri Revenue Division,
Krishnagiri District, Krishnagiri.
4. The Tahsildhar
Krishnagiri Taluk, Krishnagiri,
Krishnagiri District, .
5. Elango
S/o. Mr. Thimmarayan, Balaguri Village,
Bellarampalli Post, -635 122,
Krishnagiri Taluk, Krishnagiri District.
6. Amutha
D/o. Mr. Thimmarayan, Balaguri Village,
Bellarampalli Post, -635 122,
Krishnagiri Taluk, Krishnagiri District.
7. Deepa
W/o. Sivakumar, No.5/46, Mourunahalli
Village, Doddathimmanahalli -635 116,
Denkanikottai Taluk, Krishnagiri District.

..Respondent(s)



To direct the Respondents 1 to 4 remove the encroachments made by the Respondents 5 to 7 in the Government Anatheenam land in S.No.293/2, situated at Ittaikal Agaram Revenue Village, Krishnagiri Taluk, Krishnagiri District based on the application of the petitioner dated 07.03.2025 and consequently direct the respondents 1 to 4 to restore the said land as its original position

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For Petitioner(s): Mr.M.R. Jothimanian

For Respondent(s): Mr.T.Arun Kumar,
Addl.Govt.Pleader for R1 to R4 ,
Mr.T.Sundaravadanam for R5 to R7

Order

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

Writ of Mandamus has been instituted to direct the respondents 1 to 4 to remove the encroachments made by the Respondents 5 to 7 in the Government Anatheenam land in S.No.293/2, situated at Ittaikal Agaram Revenue Village, Krishnagiri Taluk, Krishnagiri District, based on the application of the petitioner dated 07.03.2025 and consequently, direct the respondents 1 to 4 to restore the said land as its original position.

2. Learned Additional Government Pleader appearing on behalf of the respondents would state that during the course of survey, the authorities have identified encroachments made in Government property. Thus, the competent authorities have decided to initiate enforcement action for removal of



encroachments by following the procedures.

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3. Learned counsel appearing for the private respondents Nos.5 to 7 would oppose by stating that there is an order passed by the High Court in the second appeal and the private respondents are not encroachers. The petitioner has set up a false case against the private respondents.

4. High Court cannot conduct adjudication in respect of disputed facts of civil nature which requires examination of documents by competent authorities. Further, the respondents 5 to 7 claim title/ownership in respect of the subject property, their remedy is before the Civil Court. If the respondents relied on the judgment of the High Court, the same may be submitted before the competent authority for consideration.

5. Learned counsel for the petitioner would submit that the Second Appeal judgment is not connected with the subject property which has been encroached upon by 5th to 7th respondents. All these disputed facts are to be resolved by conducting enquiry by the competent authority after issuing show cause notice to the encroachers. It is also brought to the notice of this Court that Section 7 notice has already been issued to the encroachers.

6. That being the factum, the noticees are at liberty to subject their explanations within the time line fixed by the authorities and thereafter, the



authorities may consider the documents and pass final orders and proceed with the enforcement action for removal of encroachments, if any identified.

Such exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.

7. With these directions, the Writ Petition is disposed of. No costs.

(S.M.S.,J.) (K.S.,J.)
09-04-2026

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

vsi

To

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

vsi

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