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W.P.No.14080 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

WP No.14080 of 2025

M.Dinesh
S/o Muthukrishnan,
No.19B, Sanier Street,
Manalurpet PO, Vanapuram Taluk,
Kallakurichi District.

Petitioner

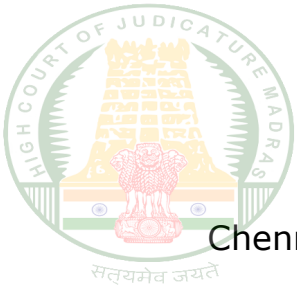
Vs

1. The District Collector
Kallakurichi District,
Kallakurichi - 606202.

2.The Divisional Engineer
Construction And Maintenance,
Highways Department,
Kallakurichi -606 202.

3.The Land Commissioner
Ezhilagam
Kamarajar Salai, Chepauk,
Chennai-600005.

4.The Director Of Municipalities
Town Development Office
Complex, Raja Annamalaipuram,



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Chennai-600028.

5.Ramakrishnan,
S/o. Subramani, Sweet Shop,
Jambai Road, Manalurpet Post,
Vanapuram Tk,
Kallakurichi District - 605754.

6.Thavidu,
S/o. Kathavarayan, Vlliyammal
Super Market, Jambai Road,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

7.Sambasivam,
S/o. Velu, Sabari Vasan Super
Market, Jambai Road,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

8.Gnanambigai,
S/o. Sivaraj, Jambai Road,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

9.Kannan,
S/o. Kuppusamy, Sivan Koil
Street, Manalurpet, Manalurpet
Post, Vanapuram Tk,
Kallakurichi District - 605754.

10.Murugan,
S/o. Kuppusamy, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

11.Samaiyan,
S/o. Viruthagan, Avarithavattam



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Colony, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

12.Subramani,
S/o. Palani, Mariyamman Koil
Street, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

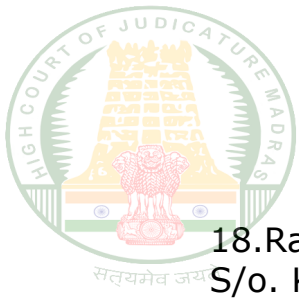
13.Krishnamoorthy,
S/o. Thangavel, Chellakuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

14.Elumala,
S/o. Chinnagounder,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

15.Mannu Gounder,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

16.Chakrapani,
S/o. Chinna Thambi,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

17.Raja,
S/o. Govindan,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.



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18.Rajendran,
S/o. Kannan, Saliyar Street,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

19.Setu,
S/o. Azhagesan,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

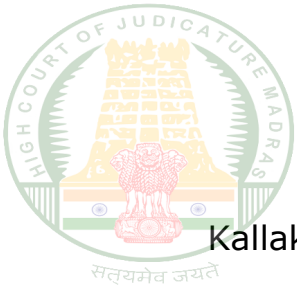
20.Selvam,
S/o. Chakravartati,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

21.Balu,
S/o. Karuppan,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

22.Ezhumalai,
S/o.Karuppan,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

23.Gubendran,
S/o. Arumugam,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

24.Suryakala,
D/o. Saravanan, Chellankuppam,
Manalurpet Post, Vanapuram Tk,



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Kallakurichi District - 605754.

25.Krishnan,
S/o. Mayavan, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

26.Durai,
S/o. Mayavan, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

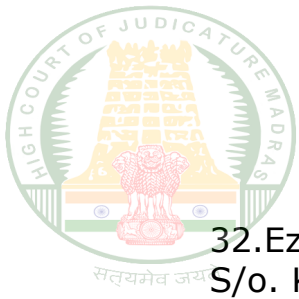
27.Rajendran,
S/o. Perumal, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

28.Sekar,
S/o. Vairvan, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

29.Syed Ahmed,
S/o. Syed Hussain, Manalurpet
Post, Vanapuram Tk,
Kallakurichi District - 605754.

30.Krishnamurthy,
S/o. Thangavel, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

31.Nehru,
S/o. Karuppan,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.



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32.Ezhumalai,
S/o. Karuppan,
Gnanapettranthangal,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

33.Krishnamurthy,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

34.Pandian,
S/o. Ezhumalai, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

35.Pandurangan,
S/o. Kuppan, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

36.Kullammal,
D/o. Kumar, Chellankuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

37.Ranganathan,
S/o. Kulllan, Chellakuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

38.Chinnamani,
S/o. Appu, Chellakuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

39.Ganesan,
S/o. Vaiyapuri, Manalurpet,
Manalurpet Post, Vanapuram Tk,



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Kallakurichi District - 605754.

40.Sivakumar,
S/o. Ramalingam, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

41.Kumaravel,
S/o. Shanmugam, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

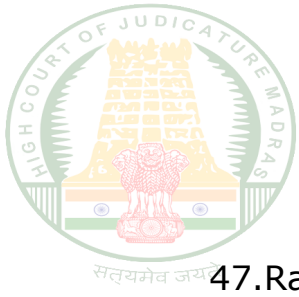
42.Govindammal,
D/o. Subramani, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

43.Vadivel,
S/o. Anandan, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

44.Ezhumalai,
S/o. Anandan, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

45.Kathaiyi,
D/o. Ayyanar, Chellankuppam,
Manalurpet, Manalurpet Post,
Vanapuram Tk, Kallakurichi
District - 605754.

46.Vasu,
S/o. Chinnamani, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.



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47.Ravi,
S/o. Chinnamani, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

48.Pachaiyammal,
D/o. Subramani, Chellakuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

49.Senthil,
S/o. Ezhumalai, Chellakuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

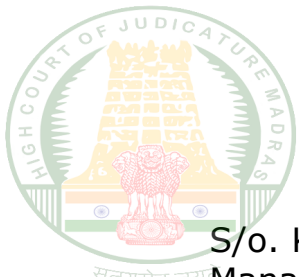
50.Selvi,
D/o. Anbazhagan, Chellakuppam,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

51.Ayisha.B,
D/o. Rahman, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

52.Manoj,
S/o. Kannan, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

53.Prakash,
S/o. Kannan, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

54.Babu,



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S/o. Kasirao, Manalurpet,
Manalurpet Post, Vanapuram Tk,
Kallakurichi District - 605754.

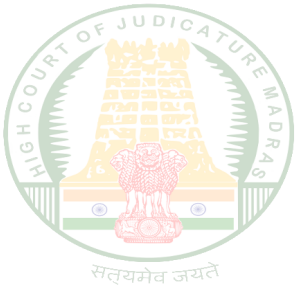
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Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus, directing the respondents to remove encroachment on water bodies, government poromboke land and temple lands and on public roads situated in Survey Nos.76/1 & 76/2 which is/are classified as water bodies; Survey No.68 & 69/4B, which is classified as Road (Jambai Salai) leading to Manalurpet Pond; the Government land adjacent to temple lands comprised in Survey Nos.70, 70/2 & 70/9; land comprised in Survey No.149/2, which is classified as Government lands; the lands in Survey No.57, MGR Nagar, Manalurpet, which is classified as Government lands; encroachments on the Road near Gnanportan Thangal in Ward VII of Manalurpet Municipality, on the Government lands in and around Manalurpet Bus Stand, all situated in Manalurpet Village, Kallakurichi District as spelt out in the petitioner's representation dated 31.08.2024, within a time limit that may be prescribed by this Court.

For Petitioner(s): Mr.B. Hari Krishnan

For Respondent(s): Mr.A.Edwin Prabakar
State Government Pleader
Assisted By
Mr.M.Habeeb Rahman
Government Advocate
For R1 to R4
Mr.V.T.Narendhiran
For RR39 to 44, 46,48 and 49.
No Appearance - For RR5 to 14,
R16 to R22, R25, 26, 29, 31, 32,
39, 41, 43, 47, 49, 53 and 54.



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ORDER

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(Order of the Court was made by the Hon'ble Chief Justice)

On the last date of hearing, this Court had directed the petitioner to submit the list of persons, who, according to him, are encroachers, so that upon submission of process fee, etc., notices may be issued to them.

2. As per office report, some of them have been served, whereas many of them are yet to be served.

3. At this stage, learned counsel for the State would submit that all cases of encroachments have now been noted by the respondent authorities and they have initiated process for removal by issuing notices to them and the proceedings are still pending consideration.

4. Learned counsel appearing for some of the served private respondents would submit that the petitioner has not come with the clean hands. He purchased a property which was locked from all the sides without any access and only in order to somehow get an

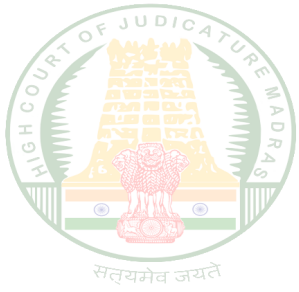


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access to the main road, he filed this petition seeking removal of the private respondents by misleading the Court that they are encroachers.

5. Be that as it may, as it is pointed out that respondent authorities have already initiated proceedings and issued notices to number of persons, including the private respondents herein, we are not inclined to proceed further in the matter. Whether or not encroachments exist is required to be decided by the authorities, after receipt of the reply of individuals to whom notices have also been issued.

6. All that we would observe is that the proceedings should be brought to its logical conclusion one way or the other within a reasonable time. In any case, that should not be beyond four months from the date of receipt of this order by the authority who has initiated proceedings.



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7. The allegation of encroachment by the petitioner is left open and this order shall not come in the way of the authorities in entertaining any complaint against the petitioner also alleging encroachment.

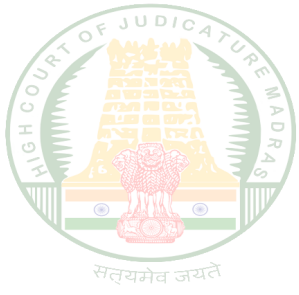
8. The writ petition is disposed of. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ)

(SUNDER MOHAN,J)

08.08.2025

Index : Yes/No
Neutral Citation : Yes/No
ars/dk



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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

ars/dk

To:

1. The District Collector
Kallakurichi District,
Kallakurichi - 606202.
- 2.The Divisional Engineer
Construction And Maintenance,
Highways Department,
Kallakurichi -606 202.
- 3.The Land Commissioner,
Ezhilagam,
Kamarajar Salai, Chepauk, Chennai-
600005.
- 4.The Director Of Municipalities
Town Development Office Complex,
Raja Annamalaipuram,
Chennai-600028.

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