



WEB COPY

WP No. 49183 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 49183 of 2025

S.G.Nayaz

S/o.Gulam Hussain, D.No.13/9-5, Singaravelu
Mudaliar Street, Hosur Town And Post, Hosu
Taluk, Krishnagiri District- 635 109.

..Petitioner(s)

Vs

1. The District Collector
Krishnagiri District.
2. The District Revenue Officer
Krishnagiri, Krishnagiri District.
3. The Sub Collector
Hosur, Krishnagiri District- 635 109.
4. The Commissioner
Hosur Municipal Corporation, Hosur,
Krishnagiri District- 635 109.
5. Thiru.K.Gopinath
S/o. Late.Kondappa Naidu, D.No.10b,
Singaravelu Mudaliar Street, Hosur,
Krishnagiri District- 635 109.

..Respondent(s)

To direct the respondent Nos. 1 to 4 to consider the representation dated 29.07.2025 made by the petitioner herein for removal of encroachments made in the Public pathway by the 5th respondent commencing from TSLR No.81, Singaravelu Mudaliar Street, Block No.55, ward-B, Hosur Town reaching to TSLR No.110 at Nethaji Road, Hosur Town, Krishnagiri District and pass appropriate orders within stipulated time period as may be fixed by this Honble court.



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For Petitioner(s): Mr.T.Sundaravadanam

For Respondent(s): Mr. T. Arun Kumar,
Addl.Govt.Pleade for R1 to R3,
Mr.T.Balaji for R4
Mr.A.K.Balaji for R5.

Order

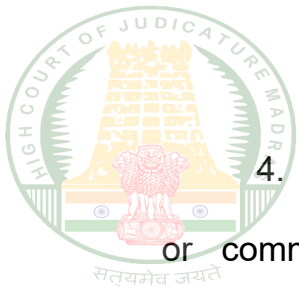
(Order of the Court was made by S.M.Subramaniam J.)

Writ Petition has been instituted seeking a direction to respondents 1 to 4 for removal of public road encroachment made by the 5th respondent.

2. The 5th respondent, earlier filed W.P.No.36340/2023 challenging the notice issued by the Corporation under Section 128(1)(b) of the Tamil Nadu Urban Local Bodies Act, 1998. The Division Bench of this Court passed a final order dated 28.12.2023 directing the authorities to hold an enquiry and granted liberty to remove encroachments, if any identified.

2. Learned counsel for the petitioner would submit that no action was initiated for removal of road encroachment by the authorities, since the 5th respondent is a politically affiliated person.

3. Learned Standing Counsel for Hosur Corporation would submit that he could not able to secure necessary instructions from the authorities, despite his efforts by sending several letters. The revenue authorities also have not filed any counter or status report. Therefore, this Court has to draw a factual inference that there is likelihood of collusion between the encroacher and the competent authorities.



4. It is made clear that the authorities, if colluded with any encroachers or committed any lapse, dereliction of duty or negligence, they are accountable and they must be subjected to disciplinary proceedings under the Service Rules.

5. In view of the above position, the District Collector, 1st respondent and the 4th respondent, Commissioner, Hosur Municipal Corporation, are directed to conduct inspection under their supervision, identify the road encroachments by the 5th respondent and initiate enforcement action to remove the same by following the procedures, within a period of six weeks from the date of receipt of a copy of this order.

6. After evicting the encroachers, a report is directed to be filed before this Court in the present Writ Petition on 18.06.2026.

Post the matter on 18.06.2026 for filing report.

(S.M.S.,J.) (K.S.,J.)
28-04-2026

VSI

To

1. The District Collector
Krishnagiri District.
2. The District Revenue Officer
Krishnagiri, Krishnagiri District.
3. The Sub Collector
Hosur, Krishnagiri District- 635 109.
4. The Commissioner
Hosur Municipal Corporation, Hosur,
Krishnagiri District- 635 109.



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

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