



W.P.No.42507 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No. 42507 of 2025
and
W.M.P.Nos. 47579 & 47576 of 2025

Roja Amma

.. Petitioner

VS

1.The Revisional Authority & The Principal Secretary,
Revenue and Disaster Management Department,
Government of Tamilnadu
Saint George Fort, Chennai – 600 009.

2.The District Collector,
Chennai District.

3.The Assistant Executive Engineer,
Water Resources Department,
Coovum Drainage Sub-Division,
Chepauk, Chennai – 600 005.

4.The Inspector of Police,
K-10, Police Station,
Koyambedu, Chennai – 600 107.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India
praying to issue a writ of certiarified calling for the records relating
to the 1st respondent's G.O.Ms.No. 776 of Revenue and Disaster



W.P.No.42507 of 2025

Management Department of Government of Tamil Nadu dated 25.10.2025 and quash the same.

For Petitioner : Mr.K.Sakthivel
For Respondents : Mr.M.Suresh Kumar,
Additional Advocate General
assisted by
Mrs.M.Jayanthi,
Additional Government Pleader
for R1 to R3
Mr.S.Rajakumar,
Assistant Public Prosecutor
for R4

ORDER
(Made by S.M.SUBRAMANIAM,J.)

The writ on hand has been instituted challenging the order of the Government issued in G.O.(Ms).No. 776, Revenue and Disaster Management Department, dated 25.10.2025.

2. The writ petitioner claims title / ownership in respect of the land and building at Door Nos.48, 48/1, 49 and 50 Amman Street, Rail Nagar, Mettukulam, Koyambedu, Chennai comprised in Old Survey No. 155/1-part, new TS Nos. 5,6,7 and 8 Block No. 34, Koyambedu Village, now Aminjikarai Taluk, Chennai District.

3. Learned counsel for the petitioner Mr.K.Sakthivel would contend that the patta has been issued in favour of the son of the



W.P.No.42507 of 2025

petitioner and, therefore, claim now set out by the respondents that it is a government poramboke land, deserves to be rejected. The land has been assessed to property tax and the petitioner is paying electricity consumption charges and other charges. That being so, the rejection of the claim of the petitioner by the original authority, appellate authority / District Collector and the Revisional Authority / Government is perverse and to be assailed.

4. Learned Additional Advocate General appearing on behalf of the State would oppose by stating that the subject land is classified as "sarkar poramboke coovam" (water body - poramboke) as per the revenue documents. Since it is a watercourse poramboke, patta granted is found to be illegal and action was initiated to cancel the patta. That apart, Government vide G.O.(Ms).No. 34, Highways and Minor Ports Department, dated 22.02.2016 has accorded administrative sanction for preparation of detailed project report for the work of *"construction of a high level bridge across Coovam River at Padikuppam connecting Mugapair East with Koyambedy Chennai Metro Rail Limited Station"* for Rs.29.70 crores. Consequently, the Superintending Engineer, CMDA has issued work order by letter dated 15.10.2024 for the construction of storm water drainage. The entire rain water



W.P.No.42507 of 2025

collected inside Koyambedu, Wholesale Market Complex and the road adjoining to the market are currently drained through storm water drains of B road, then through the culvert located on the Poonamallee High Road and further through the kuccha drains falling under the control of PWD WRD. The project will benefit not only various stakeholders of market (approximately 1 lakh population per day) but also the other government entities like CMRL, BSNL, TNEB, etc., located alongside roads. Therefore, it is imminent for the Government to evict the encroachers for completion of project in entirety. The competent authorities invoked the provisions of the Tamil Nadu Land Encroachment Act, 1905 and the said action was questioned before the Appellate Authority / District Collector. The District Collector rejected the claim of the petitioner and a revision was filed before the Government, which was also rejected.

5. This court is of the considered view that as per the government revenue records, subject land has been classified as Government Poramboke Coovum (waterbody poramboke). If the petitioner's are in possession of documents contrary to the revenue records or claiming ownership in respect of the subject property, they have to necessarily approach the competent civil court of law,



W.P.No.42507 of 2025

for the purpose of establishing their title / ownership, in the manner known to law.

6. Writ court in exercise of powers of judicial review cannot decide disputed issues of civil nature which is to be decided based on documents and evidences available on record in original. Thus, the petitioner is at liberty to approach the competent civil court of law for the purpose of establishing her title, if any. However, public projects already sanctioned by the Government need not be stalled on account of the claim set out by the petitioner. As per the revenue records, the Government has proceeded by implementing the public project and the learned Additional Advocate General would submit that the project constructions are in progress, except the encroachments made by the petitioner, all other encroachments were already removed and the project's completion is accelerated in the interest of public.

7. Considering the above factum, this Court is not inclined to entertain the writ petition and consequently stands dismissed. No costs. Connected miscellaneous petitions are closed.

8. At this stage, learned counsel for the petitioner would



W.P.No.42507 of 2025

request that some time may be granted to vacate the said property and handover vacant possession to the Government authorities.

9. In view of the said submission, the petitioner is granted three (3) weeks time from today to vacate the premises and handover vacant possession to the competent authorities. In the event of failure on the part of the petitioner, the authorities competent shall evict the petitioner with the assistance of police and proceed with the project.

[S.M.S, J.] [M.S.Q, J]
14.11.2025

Index:Yes
Neutral Citation:Yes/No
ssm

To

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W.P.No.42507 of 2025



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W.P.No.42507 of 2025

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and
MOHAMMED SHAFFIQ, J.

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W.P.No.42507 of 2025

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