



WEB COPY

WP No. 9435 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 9435 of 2025

AND

WMP NO. 10602 OF 2025, WMP NO. 10601 OF 2025

1. G.Ebenezer Alfred

2. Sowri Sobana. A

Petitioner(s)

Vs

1. The District Collector
Collectorate Office, Kancheepuram,
Kancheepuram District 631 501

2. The District Revenue Officer
Kancheepuram District 631 501

3. The Tahsildar
Walajabad Kancheepuram District 631
605

Respondent(s)

PRAYER

Directing the Respondents 1 to 3 herein not to proceed with any construction activities in S. No 613/5 frontage area by obstructing the access to the petitioners properly and interfering with the petitioner peaceful possession and enjoyment of their properties measuring an total extent of 1 acre 23 cents, comprised in S.No 613/4, situated at No 545, Uthukkadu Junction road, uthukkadu village and Post, Walajabad 631 605, Kancheepuram District, without following due process of law

For Petitioner(s): Mr.G.Balasubramanian
M/s LEELA AND CO

For Respondent(s): Mr.C.Jayaprakash,GA
FOR R1 TO R3.



ORDER

This writ petition has been filed to forebear the respondents 1 to 3 not to proceed with any construction activities in the properties morefully described in the prayer to this writ petition without following the due process of law.

2. The petitioners claim that the respondents 1 to 3 are now attempting to interfere with the usage of the properties morefully described in the prayer to this writ petition as they are attempting to put up construction over the same illegally.

3. A counter has been filed by the third respondent before this Court stating that the properties for which protection is sought for by the petitioners in this writ petition has been encroached by the petitioners and therefore, there is no prohibition for the respondents 1 to 3 to put up construction over the same. If the petitioners are encroachers, the respondents will have to evict them only by following due procedure established under law. Infact, in the counter filed before this Court, the respondents 1 to 3 have themselves admitted that they will be following the due process of law for evicting the petitioners from the properties morefully described in the prayer to this writ petition.

4. The learned counsel for the petitioners, on instructions, is satisfied if a direction is issued to the respondents to seek for eviction of the petitioners from



the properties morefully described in the prayer to this writ petition only by following due process of law. At the same time, he would submit that the petitioners are in lawful possession of the same.

5. This Court is not expressing any opinion on the respective contentions. However, necessarily the respondents 1 to 3 will have to follow the due process of law to evict the petitioners from the properties morefully described in the prayer to this writ petition if according to them, the petitioners are unauthorized occupants of the said properties.

6. For the foregoing reasons, this Court directs the respondents 1 to 3 to follow the due process of law to evict the petitioners if they consider them to be unauthorized occupants. Till the due process of law is followed by the respondents 1 to 3 to evict the petitioners from the properties morefully described in the prayer to this writ petition, the petitioners shall not be evicted. However, once the due process of law is followed by the respondents 1 to 3 and if it is found that the petitioners are unauthorized occupants, the respondents shall forthwith evict the petitioners from the properties morefully described in the prayer to this writ petition. It is made clear that in respect of the lands belonging to the respondents 1 to 3 (Government land), adjoining the petitioners' properties, the respondents 1 to 3 have got the right to put up any construction.



7. Accordingly, this writ petition is disposed of. No Costs. Consequently,

W.M.P. No.10601 of 2025 is ordered, subject to payment of separate Court fee
and W.M.P. No.10602 of 2025 is closed.

27-01-2026

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

To

1.The District Collector
Collectorate Office, Kancheepuram,
Kancheepuram District 631 501

2.The District Revenue Officer
Kancheepuram District 631 501

3.The Tahsildar
Walajabad Kancheepuram District 631
605



WEB COPY

WP No. 9435 of 2025



ABDUL QUDDHOSE J.

ab

**WP No. 9435 of 2025
AND WMP NO. 10602
OF 2025, WMP NO.
10601 OF 2025**

27-01-2026