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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

Writ Petition No.14949 of 2026
and
W.M.P.No.16179 of 2026

1. G.Ravi
   S/o.Govindasamy

2. G.Elumalai
   S/o.Govindasamy

3. M.Velayutham
   S/o.Muthu

4. G.Pachaiammal
   W/o.Govindaraj @ Krishnan

5. G.Vadivel
   S/o.Govindaraj

6. Kamatchi
   D/o.A.Govindasamy

7. R.Valarmathi
   D/o.Govindaraj

8. G.Loganathan
   S/o.Govindaraj

9. Pachaiappan
   S/o.S.Chakravarthy

10. V.Mani
    S/o.Venkatesan @ Annamalai

11. K.Ramesh
    S/o.Krishnasamy @ Krishnan

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12. K.Muniyan
S/o.Kannan

13. S.Rajendran
S/o.Sadaiappan @ Chellan

14. Kirubakaran
S/o.G.Elumalai

15. M.Venkatesan
S/o.T.Muthu

16. K.Chinnakulanthai
W/o.Kuppan @ Kariyan

17. M.Lakshmi
W/o.Manikavasudevan @ R.Venkatakrishnan

18. E.Padmavathi
W/o.Ettiappan @ Narasimman

..Petitioners

Vs

1. The District Collector,
Singaravelar Maaligai (IV Floor),
Rajaji Salai, George Town,
Chennai 600 001.

2. The Revenue Divisional Officer,
Guindy, Chennai 600 032.

3. The Tahsildar,
Guindy, Chennai 600 032.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records in the order bearing Se.Mu.No.J.14/e-3611042/2025 dated 13.03.2026 passed by the first respondent and quashing the last paragraph of the said order and directing the first respondent to restore possession of the Govt. Poramboke land mentioned in the proceedings of the Tahsildar, Mambalam-Guindy Taluk bearing K.Dis.(B1)/10290/85 dated 22.05.1985 to the petitioners.

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For Petitioners : Mr.M.Radhakrishnan

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

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ORDER

(Made by S.M.Subramaniam J.)

The present writ petition has been instituted challenging the proceedings of the District Collector, Chennai, dated 13.03.2026.

2. The petitioners initially submitted an application seeking patta in respect of the subject land. Since patta was not granted, one of the petitioners approached the High Court and the High Court directed the authorities to consider the representation and dispose of the same within a period of two months. The authorities, during the course of survey, found that the petitioners along with others have encroached upon the Government poramboke land, which was identified as 'river'. Thus, encroachment actions have been initiated.

3. It is not in dispute that the unauthorized buildings in Government poramboke identified as 'river' were demolished and the authorities have taken possession of the land. As of now, the encroachers are not in occupation of the subject Government poramboke land. Subsequently, a writ of declaration has been instituted seeking relief to restore possession of the said land. The Division Bench considered the issues and passed a common

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order in a batch of writ petitions on 16.06.2025. In paragraph No.11, the Court directed the District Collector, Chennai, to examine the representation of the writ petitioners and dispose of the same. A further direction was issued to examine the complaint of the petitioners that their dwelling houses were demolished (without notice) and return a factual finding on the same. Opportunity was directed to be given to all the encroachers, who were evicted by demolishing the unauthorized constructions put up in the Government poramboke land identified as 'river'. The District Collector, Chennai, initiated enquiry proceedings in pursuance to the orders of the Division Bench of this Court. The District Collector issued notice to the encroachers including the petitioners and conducted a detailed enquiry by obtaining reports from the Revenue Tahsildar and the Revenue Divisional Officer. The grievances of the petitioners along with other encroachers were addressed. A personal enquiry was conducted by the Tahsildar. Statement of the encroachers were obtained and xerox copies of house tax and demand notice issued by Chennai Metropolitan Water Supply and Sewerage Board were also received. All such documents filed by the encroachers were considered by the authorities. The District Collector has also verified the revenue records.

4. Learned Additional Government Pleader would submit that both manual revenue records as well as computerized revenue records were verified by the District Collector during the course for enquiry.

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5. The entries in the City Land Register are as follows:

Handwritten entries in the Permanent Land Register	Entries in the Computerized Land Register
Village : Adyar Block No.13 City Survey No.1 Old Survey No.- Door No.- Classification : Govt. Poramboke Extent: 17.50.03.0 hectare Owner: River Usage:-	Village : Adyar Block No.13 City Survey No.1 Old Survey No.- Door No.- Classification : Govt. Poramboke Extent: 17.50.03.0 hectare Owner: River Usage:-

6. Considering the entire facts with reference to the revenue records as well as the documents produced by the encroachers and taking note of the representation of the Tahsildar and the Revenue Divisional Officer, the District Collector, Chennai, passed the order impugned stating that the land to an extent of 17.50.03.0 in Survey No.1, Block No.13, Adyar City, Guindy Taluk, South Chennai Revenue Division, Chennai District, is classified as Government poramboke land and both in the report of the Surveyor and Computerized Permanent Land Register against the column ‘owner’, the expression ‘river’ is mentioned and also on the basis of the said enquiry, the District Collector found that it is not possible to allow the petitioners to continue to reside in the said objectionable Government poramboke land, which has been identified as ‘river’.

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7. Since the District Collector, Chennai, has taken a decision that it is not possible to permit the encroachers to continue to reside in the subject property, this Court, in exercise of judicial review, cannot grant permission to encroachers to reside in the objectionable Government poramboke land, which has been identified as 'river'.

8. Learned Additional Government Pleader would rely on the Full Bench judgment in ***T.K.Shanmugam Vs. State of Tamil Nadu* [*2015 (5) LW 397]*** on the ground that the subject land is identified as 'water body'.

9. The petitioners are at liberty to submit an application to the competent authorities seeking alternate accommodation if they are homeless poor persons. The authorities, in the event of receiving any such application seeking alternate accommodation from the eligible encroachers, they may be considered for allotment of tenement in terms of any Government Welfare Scheme through Tamil Nadu Urban Habitat Development Board. However, the encroachers cannot claim an absolute right in respect of the encroached portion of the Government poramboke land, which has been classified as 'river' as per the revenue records.

10. The line of directions issued by the Division Bench in its earlier order relied upon by the learned counsel for the petitioners would show that an enquiry is to be conducted by the District Collector to ascertain the entire facts

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as well as the nature and classification of the Government poramboke lands, which have been occupied by the encroachers. Since the said exercise has been done by the District Collector and encroachments in the water body are identified, the parties are not entitled for any relief.

Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.] [K.S., J.]
17-04-2026

Index: Yes
Speaking order
Neutral Citation: Yes/No
gm

To

1.The District Collector,
Singaravelar Maaligai (IV Floor),
Rajaji Salai, George Town,
Chennai 600 001.

2.The Revenue Divisional Officer,
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S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.

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