



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 14789 of 2021

Lion.G.Devarajan
S/o. (Late). J.Gopalakrishnan, 25/12
Sathiyarayan St. Sembium, Chennai- 600
011.

..Petitioner(s)

Vs

1. The Additional Chief Secretary
Municipal Administration and water supply
Department Secretariat, Fort St George,
Chennai- 600 009.
2. The Addition Chief Secretary / Secretary
Public Works Department, Secretariat, Fort St
George, Chennai- 600 009.
3. The Additional Chief Secretary / Commissioner
Commissioner of Land Reforms, Ezhilagam,
Chepauk, Chennai- 600 005.
4. The Chief Engineer
Public works Department, Chepauk,chennai-
600 005.
5. The Commissioner (FAC)
commissionerate of Land Administration, 2nd
Floor, Ezhilagam, Chepauk, chennai- 600 005.
6. The District Collector
62, Rajaji Salai, Fourth Floor, Chennai.1
7. The Member Secretary
Chennai Metropolitan Development Authority
(CMDA), No.1, Gandhi Irwin Road, Egmore,
Chennai- 600 008.



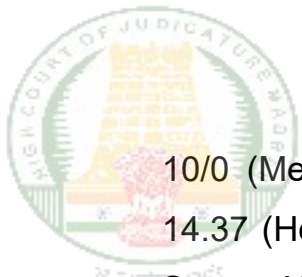
8. The Thasildar
Perambur Taluk Office, Perambur, Chennai-
600 011
9. The Commissioner
Greater Corporation of Chennai., Ripon
Building, Chennai- 600 003.
10. The Regional Deputy Commissioner
Greater Chennai Corporation (Central Zone)
Shenoy Nagar, Chennai- 600 030.
11. The Zonal Officer/ Executive Engineer
(Zone 6) Greater Chennai Corporation,
Otteri, Chennai- 12.
12. The Assistant Engineer (Ward 69)
Greater Chennai Corporation, Chennai- 600
011.
13. The Village Officer
Greater Chennai Corporation, (Vigilance Cell),
Ripon Building, Chennai- 600 003.
14. The Superintending Engineer
(Storm Water Drain Department) Greater
Chennai Corporation, Ripon Building, Chennai-
600 003.
15. The Managing Director
Chennai Metropolitan Water Supply and
sewerage Board, Pumping Station Road,
Chennai- 2
16. The Managing Director
Tamil Generation and Distribution Corporation
Limited, 10th Floor, NPKRR Maaligai 144,
Anna Salai, Chennai- 600 002.
17. The Commissioner
Greater Commissioner of Police, Vepery,
Chennai- 600 007.
18. The Inspector of Police
K9, Thiru.Vi.Ka Nagar Police Station,
Sembium, Chennai- 600 011.



19. The Inspector of General
Inspector General of Registration, 100,
Santhome High Rd, Raja Annamalai Puram,
chennai-28.
20. The Sub Registrar
Sub Registrar Office, Sembiam, Chennai- 600
011.
21. Simson
Huzur Gardens, Madhavaram High Road,
Perambur, Chennai- 600 011.
22. India Pistons
Huzur Gardens, Madhavaram High Road,
Perambur, Chennai- 600 011.
23. Addison Paints and Chemicals Limited
Huzur Gardens, Madhavaram High Road,
Perambur, Chennai- 600 011.
24. Tractors and Farm Equipments
Huzur Gardens, Madhavaram High Road,
Perambur, Chennai- 600 011.
25. The Revenue Divisional Officer,
Chennai Central, Ambattur.
(R25 Suo-motu Impleaded Vide Order Dt
19/07/2021 made in WP.14789/2021 by NKKJ,
TVTSJ)

..Respondent(s)

To directing all government respondents to consider and thereby disposing the Representation made by petitioner on 24.6.2017, 15.09.2018, 19.06.2019, 17.12.2020, 18.12.2020 and 29.06.2021 and directing respondents for to conduct the survey and to evict the all type of encroachments in Chennai District, Perambur Taluk, Sembium Village, (1) Block No.0001, Old Survey No. 174/2Pt Survey Number 5/0 Measuring a extent of 1 Hectare 47 ares, 29.0 Sq.Meter Assesment (Govt) 34.12 (Holding - Kulam (Pond) (2) Block No.0001, Old Survey No.174/2PT Survey Number



10/0 (Measuring and extent of 61 Ares, 52.0 Sq.Meter, Assesment (Govt) 14.37 (Holding - Kuttai (Pond)) (3) Block No.0001, Old survey No. 174/2PT Survey Number 2/ Government Poramboke Measuring an extent of 14 Ares, 30.0 sq.meter assessment (Govt.) 0.0 (Holding-Street) (4) block No.0001, Old Survey no.174/2PT Survey number 9/0 measuring an extent of 42 ares, 62.0 sq.meter assessment (Govt.) 10.12 (Holding- Road), (5) Block No.0001, Old Survey No.171/1PT, Survey Number 18/0 measuring an extent of 12 ares, 0.0 sq.meter assessment (Govt.) 3.25 (holding – Road) 96) block No.0001, Old Survey No.169PT, 171/1PT, 172PT, 173PT, 174/1PT, 174/2PT Survey Number 20/0 measuring an extent of 92 ares, 0.0 sq.meter assessment (Govt.) 21.25 (Holding- Road), (7) Block No.0001, Old Survey No.174/2PT, Survey Number 21/0 measuring an extent of 11 ares, 36.0 sq.meter assessment (Govt.) 3.12 (Holding-Roa) (8) block No.0001, Old Survey No.174/2PT, Survey Number 23/0 measuring an extent of 2 ares, 72.0 sq.meter assessment (Govt.) 1.12 (Holding – Lane) of water Bodies, road, street, Lane and Government Poramboke in revenue record is muted and also find the superstructures put upon by them are authorized/ unauthorized/ deviated, necessary and immediate steps shall be taken in accordance with law to demolish the offending construction and may also disconnect the metro water and sewage, Electricity connections thereby evict the all types of encroachments restore all water bodies or water course to their original shape, size, capacity etc., and mention the property as water bodies in the records of revenue, Chennai Corporation, CMDA and all other records of Government and to initiate departmental and/or criminal action against the erring officials and cancel the patta.

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For Petitioner(s): Mr.G.Devarajan, Party In Person

For Respondent(s): Mr.T.Arunkumar,
Addl.G.P. for R1 to R6,R8,
R17 to R20 & R25
Mr.S.Gopinathan,
Standing Counsel for GCC



for R9 to R14
Mrs.P.Veena Suresh,
Standing Counsel for CMDA
for R7
Mr.N.Paul Sunder Singh
Standing Counsel
for CMWSSB for R15
Mr.Krishna Srinivasan,
for M/s.Ramasubramaniam
and Associates for R21 to R24
No appearance for R16.

ORDER

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

The present writ petition has been instituted seeking a direction to the revenue authorities to consider the representation submitted by the writ petitioner seeking eviction of encroachments in the subject street as described in the writ proceedings.

2. The Tahsildar, Kolathur Taluk filed a status report. As per the status report, the respondents 21 to 24 have encroached upon the public street. The learned Additional Government Pleader has produced a Combined Block Map of Sembium (Block-1), Peravallur (Block-4) and Madhavaram(Block-116). According to the survey, a portion of the street has been encroached by the respondents 21 to 24. However, it is a dead end street.

3. Learned Senior Counsel appearing on behalf of the respondents 21 to 24 would oppose by stating that it is a private land and not a Government promboke land or street. The respondents 21 to 24 have submitted a representation along with the documents to establish their title /ownership. Thus, the present writ petition has to be rejected.



4. Neither the revenue authorities nor the High Court in exercise of powers under Article 226 of the Constitution of India will be in a position to decide the title/ownership in respect of an immovable property. An aggrieved person has to approach the Civil Court by instituting a civil suit. Disputed fact relating to civil rights cannot be adjudicated in writ proceedings. The Government authorities claim that it is a public street and the respondents 21 to 24 have encroached upon the public street. Therefore, it is left open to the authorities to initiate all enforcement action by following the procedures as contemplated under the TamilNadu Land Encroachment Act, 1905. If at all the respondents 21 to 24 claim any title or ownership, it is for them to approach the competent civil court of law.

5. In respect of the representation submitted by the writ petitioner, the authorities are directed to initiate appropriate enforcement action to protect the public properties in the manner known to law. The Government is bound to take enforcement action by following the procedures as contemplated under law and it is for the respondents 21 to 24 to defend their case. Accordingly, the Writ Petition is disposed of. No costs.

(S.M.S.,J.) (K.S.,J.)
09-03-2026

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

VSI



To

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Municipal Administration and water supply Department Secretariat, Fort St
George, Chennai- 600 009.

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Public Works Department, Secretariat, Fort St George, Chennai- 600 009.

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

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