



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 25824 of 2026

Y.V.Gopalakrishnan

S/o.Late venkatachalam, no.10, sadhasivam street,
purasaiwakkam, chennai - 600007.

..Petitioner(s)

Vs

1. The State Of Tamil Nadu
Rep. by its secretary,
Revenue and Disaster management Department,
fort st.george, chennai - 600009.
2. The commissioner of land administration
Ezhilagam, chepauk, chennai - 600005.
3. The District Collector
chengalpattu District, chengalpattu.
4. The Revenue Divisional Officer/Sub-Collector,
madurantakam division, madurantakam.
5. The Tahsildar
madurantakam taluk, madurantakam.
6. The commissioner/chief engineer
water resources department, chennai region,
thalamuthu natarajan maaligai, chennai -
600009.
7. The village administrative officer
Lakshmi narayanapuram village, madurantakam
taluk, chengalpattu District.
8. Harikirishnan
S/o.munusami,
Door no.9, 3rd street, kelavalam, karunduzhi
post, madurantakam taluk, chengalpattu,
tamilnadu - 603303.



..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus to direct the 4th respondent to forthwith cancel patta no.1631 issued for survey no.404 of lakshmi narayanapuram village, madurantakam taluk, chengalpattu District, as it was illegally issued over government neernilai madu (water body/poramboke) land by considering the petitioners representation dated within a reasonable time-frame as may be fixed by this hon'ble court.

For Petitioner(s): Mr.D.NEEDHI JAIN
for M/S.PB RAMANUJAM ASSOCIATES

For Respondent(s): Ms.Inthu Karunakaran, Government Counsel for
R1 to R7

Order

This Writ Petition has been filed seeking a direction to the fourth respondent to forthwith cancel Patta No. 1631 issued in favour of the eighth respondent, on the ground that the same was illegally granted over a Government *Neernilai Madu* (water body).

2. The learned counsel for the petitioner submitted that the petitioner is the lawful owner of the agricultural (*Punjai*) land measuring 1.62.00 hectares, comprised in S.F. No. 403/1B, situated at Lakshmi Narayanapuram Village, Madurantakam Taluk, Chengalpattu District. While matters stood thus, the land



adjacent to the petitioner's agricultural property, bearing S.F. No. 404, was officially classified in the revenue records as a *Neernilai Madu* (a water body / tank poramboke). The said water body is fed by a supply canal located approximately 1.5 km away and serves as a critical source of irrigation for over 200 acres of agricultural land in the surrounding villages. While so, the revenue authorities illegally issued a patta for S.F. No. 404, covering an extent of 1.54.00 hectares, in favour of the eighth respondent, despite the undisputed fact that the said land is a Government water body. The learned counsel further contended that the original Field Measurement Book (FMB) sketch categorically confirms that S.F. No. 404 is designated as a water body. Despite the petitioner's repeated complaints, petitions, and representations to the authorities concerned, the officials failed to take action to cancel the patta, resulting in the continuous encroachment and destruction of the water body. Hence, the petitioner has approached this Court.

3. In reply, Mr. B. Pachaiyappan, learned Government Counsel, who accepts notice on behalf of respondents 1 to 7, submitted that S.F. No. 404 is not a *Neernilai Madu* or a water body poramboke tank as alleged. He further argued that if the petitioner is genuinely aggrieved by any public encroachment or threat to a water body, the appropriate remedy is to file a Public Interest Litigation (PIL), especially since the private right or personal interest of the petitioner is in no way directly affected by the grant of patta to the eighth



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4. Heard the learned counsel appearing on behalf of the petitioner and the learned Government Counsel appearing on behalf of respondents 1 to 7, and perused the materials available on record.

5. As rightly contended by the learned Government Counsel, the individual, private legal rights of the petitioner are not directly affected or infringed upon by the issuance of the impugned patta in favour of the eighth respondent. While the petitioner asserts that the adjacent land in S.F. No. 404 is a *Neernilai* (water body), the revenue authorities have explicitly disputed this factual position, stating that it is not classified as a water body.

6. It is a well-settled principle of law that a Writ of Mandamus or a direction for the cancellation of a patta under Article 226 of the Constitution of India cannot be entertained at the instance of a third party, unless a specific, personal injury or infringement of a fundamental or legal right is established. Where the grievance raised relates to the preservation of public property, communal water sources, or environmental protection, the petitioner cannot maintain an individual writ petition in his private capacity.



7. If the petitioner firmly establishes through public records that the land in question is indeed a communal water body and intends to protect it from encroachment or wrongful assignment, the proper and legally permissible course of action is to invoke the extraordinary jurisdiction of this Court by way of a properly structured Public Interest Litigation (PIL) before the appropriate Bench, rather than seeking the cancellation of an individual's patta through a regular writ petition. Consequently, a regular writ petition seeking the cancellation of a patta granted to a third party over an alleged public water body does not lie at the instance of the petitioner. Therefore, this Court finds no merit or maintainability in the present Writ Petition.

8. Accordingly, this Writ Petition stands dismissed. No costs.

09-07-2026

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

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To

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KRISHNAN RAMASAMY J.

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