



WEB COPY



WP No. 34071 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HONOURABLE Mr.JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP No. 34071 of 2017

AND

WMP NO. 37816 of 2017

1. P.Gunasekaran
S/o Ponnusami
No:3/47 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk,
Chennai-602024

2. M.Ponniammal
W/o Madhavan
No:605 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk
Chennai- 602024

3. J.Kathirvel
S/o Jaganathan
No: 53 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk
Chennai- 602024

4. S.Sivasankar
S/o Subbaiah
No: 42 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk
Chennai-602024

5. R.Murugan
S/o Ramadas



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No: 634 Lakshmipathi nagar ,
Kottamedu, Thiruninravur, Avadi Taluk
Chennai-602024

6. S.Ponnurangam
S/o Selvaraj
No:53 Lakshmipathi nagar, Kottamedu,
Thiruninravur, Avadi Taluk
Chennai-602024

7. P.Amudha
W/o Prakash
No.3/58, Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk
Chennai-602024

8. N.Varalakshmi
W/o Nagaraj
No: 581 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk,
Chennai-602024

9. V.Shiva
S/o Vadivel
No: 616 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk,
Chennai-602024

10. E.Sampath
S/o Ethiraj
No:591 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk
Chennai-602024

11. D.Subramani
S/o Durai
No:3/452 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk,
Chennai-602024



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12. V.Ramadoss
S/o Varadhan
No: 600 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk,
Chennai-602024

13. A.Venkadesan
S/o Amavasai
No: 44 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk,
Chennai-602024

14. I.Tamilmani
W/o D.Inbarasu
No: 618 Lakshmipathi nagar,
Kottamedu, Thiruninravur, Avadi Taluk,
Chennai-602024

15. D.Kokila
W/o Dhanabal
No: 3/457 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

16. S.Devaki
W/o Selvaraj
No: 606 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

17. D.Parandhaman
S/o. Dasarathan
No:3/437 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
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18. A.Sudhandiraraj
S/o Aandhinadar
No: 631 Lakshmipathi nagar,



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Kottamedu, Thiruniravur, Avadi Taluk,
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19. K.Murugaiyan
S/o Kuppusami
No: 429 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

20. K.Ramachandran
S/o Kolakan
No: 585 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

21. S.Muthamilselvan
S/o Sampath
No: 584 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

22. S.Ganapathi
S/o Subramani
No: 610 Lakshmipathi nagar,
kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

23. K.Pachaimuthu
S/o Krishnan No: 620 Lakshmipathi
nagar, Kottamedu, Thiruniravur , Avadi
Taluk, Chennai-602024

24. M.Nagayyan
S/o Munusami
No:633 Lakshmipathi nagar,
Kottamedu, Thiruniravur , Avadi Taluk,
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25. K.Amudha
W/o Kanniappan



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No: 612 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

26. P.Sundharam
S/o Ponnusami
No: 623 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

27. E.Ponnuvel
S/o Ethiraj
No: 48 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

28. M.Ramesh
S/o Munusami
No:2 Lakshmiapthi nagar, Kottamedu,
Thiruniravur, Avadi Taluk,
Chennai-602024

29. M.Sandhanam
S/o.Munusami,
No: 582 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

30. M.Sivagami
W/o Mohan
No: 18 Lakshmipathi nagar, kottamedu,
Thiruniravur, Avadi Taluk,
Chennai-602024

31. D.Menaka
W/o Devanthiran
No:618 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024



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32. D.Kalaimani
W/o Dakshanamurthi
No:3/62 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

33. D.Chezian
S/o Ponnusami
No:609 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

34. S.Gopinath
S/o Selvaraj
No:606 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

35. P.Ragupathy
S/o.Ponnusami,
No:621 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

36. A.Saravanan
S/o Amavasai
No:630, Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

37. E.Munusami
S/o Irusan
No: 64/4 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

38. C.Thirunavukarasu
S/o Chinnapaiyan
No:630 Lakshmipathi nagar,



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Kottamedu, Thiruniravur, Avadi Taluk,
Chennai-602024

39. D.Elumani
S/o Dhanapal
No;598 Lakshmipathi nagar,
Kottamedu, Thiruniravur, Avadi Taluk
Chennai-602024

Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by its Principal Secretary
To Government
Municipal Administration and Water
Supply Department
Fort St. George, Chennai – 600 009

2.The State of Tamil Nadu
Rep.by its Principal Secretary
To Public Works Department
Fort St. George, Chennai – 600 009.

3.The District Collector
District Collectorate
Thiruvallur.

4.The Assistant Engineer
Public Works Department
St.Thomas Mount
Chennai - 600016

5.The Tahsildar
Avadi Taluk
Avadi – 600 070

Respondent(s)



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PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, forbearing the respondents 1 to 4 their men, agents or anybody claiming through them from in any manner attempting to evict the petitioners from the subject property in Survey No.301/1, Lakshmipathy Nagar, Kottamedu Village, Kosavanpalayam Panchayat, Thiruninravur, Avadi Taluk, Thiruvallur District pending disposal of the petitioners representation dated 03.10.,2017 before the 4th respondent.

For Petitioner(s): Ms.Catherine Vinita Raj
for M/s.P.S.Amalraj

For Respondent(s): Mr. T.Arunkumar
AGP for R1 to R5

ORDER

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

Writ of Mandamus has been instituted from forbearing the respondents 1 to 4, their men, agents or anybody claiming through them from in any manner attempting to evict the petitioners from the subject property in Survey No.301/1, Lakshmipathy Nagar, Kottamedu Village, Kosavanpalayam Panchayat, Thiruninravur, Avadi Taluk, Thiruvallur District pending disposal of the petitioners representation dated 03.10.,2017 before the 4th respondent.



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2.The relief as such sought for in the present writ petition is absolutely misconceived. Negative relief as such sought for cannot be granted in respect of immovable property. Title or ownership ought to be established by approaching the competent Civil Court. The High Court cannot adjudicate the disputed facts of civil nature and therefore, the relief as such sought for in this writ petition cannot be granted. That apart, the writ petition is premature, since no notice or enforcement action as far as the petitioner has been initiated under the relevant provisions of the Encroachment Act. Under these circumstances, this writ petition is devoid of merits and the same is dismissed. No costs. Consequently, connected WMP is also closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)
27-01-2026
(2/2)

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



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To

WEB COPY

1.The State of Tamil Nadu
Rep. by its Principal Secretary To
Government Municipal Administration
and Water Supply Department
Fort St. George, Chennai – 600 009

2.The State of Tamil Nadu
Rep.by its Principal Secretary To Public
Works Department
Fort St. George, Chennai – 600 009.

3.The District Collector
District Collectorate
Thiruvallur

4.The Assistant Engineer
Public Works Department
St.Thomas Mount
Chennai - 600016

5.The Tahsildar
Avadi Taluk
Avadi - 600070



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AND
C.KUMARAPPAN J.

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