



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1172 of 2025

and

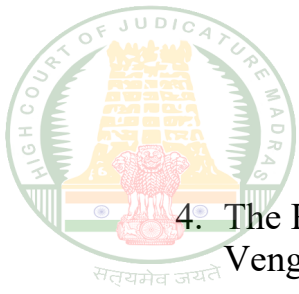
WPMP.Nos.559 and 560 of 2025

1. E.Rangan
S/o.Ettiappan,
No.106, Main Road,
Pinjivakkam, Thiruvallur and District.
2. E.Kandasami
S/o.Ettiappan,
No.1/81, Mettu Street,
Pinjivakkam,
Thiruvallur and District.
3. E.Elumalai
S/o.Ettiappan,
No.1/53, Mettu Street,
Kadambathur, Pinjivakkam,
Thiruvallur and District.

..Petitioner(s)

Vs

1. The Executive Magistrate cum Revenue
Divisional Officer,
Thiruvallur and District.
2. The Sub-Inspector of Police,
B-3, Kadambathur Police Station,
Thiruvallur District.
3. The Tahsildar
Thiruvallur and District.



4. The Revenue Inspector
Vengathur, Thiruvallur District.

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5. The Village Administrative Officer,
Pinjivakkam Village, Thiruvallur District.

6. Venkatesan,
S/o.Late Ekambaram,
Main Road, Pinjivakkam,
Kadambathur, Thiruvallur District.

7. Anbu,
S/o.Late Santhanam,
Main Road, Pinjivakkam,
Kadambathur, Thiruvallur District.

8. Megavarnan
S/o.Arunachalam

9. Nagaraj
S/o.Marvadi

- 10.Ravi
S/o.Raghavan

- 11.Varadhan
S/o.Kannan,
Respondents 8 to 11 residing at
Pinjivakkam Colony, Kadambathur,
Thiruvallur District.

..Respondent(s)

Prayer: Writ Petition (Criminal) filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the 1st respondent passed in Na.Ka.No.4918/2025/A1 dated 23.08.2025 and quash the same and direct the respondents 1 to 4 not to interfere with peaceful possession and enjoyment of



the petitioners' settlement property in S.No.127/3 situated at Pinjivakkam Village, Thiruvallur District and pass such further or other orders as may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr. M.Thamizhavel

For Respondent(s): Mr.R.Ganesh Kumar,
Counsel for Government of Tamilnadu
(Crl.Side)for R1 to R5
Assisted by Mohammed Imran A

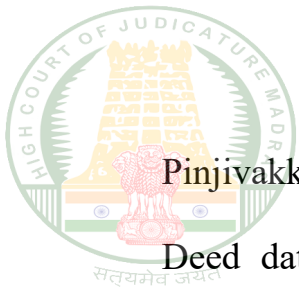
M/s.M.Aloysius Raja Pragash for R8

M/s.L.Umma Kulsum for R10 And R11

ORDER

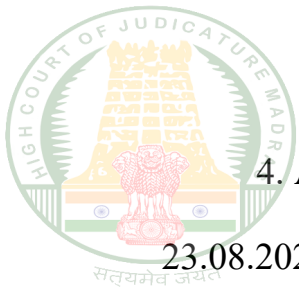
This Writ Petition has been filed by the petitioners challenging the order dated 23.08.2025 passed by the first respondent, whereby it was directed that the "A" Party shall not claim any right or ownership over the Government poromboke land comprised in Survey No.127/3 and that the "B" Party may use the said land during the Mariamman @ Ettiamman Temple Festival for carrying the "Karagam" (Kudam).

2. The petitioners are the "A" Party and the respondents 6 to 11 are the "B" Party. According to the petitioners, they are the absolute owners of the land comprised in Survey No.127/3, measuring an extent of 0.31 cents, situated at



Pinjivakkam Village, Thiruvallur District. Their father executed a Settlement Deed dated 05.02.1999 in favour of the petitioners in respect of the said property, registered as Document No.119 of 1999. Ever since the execution of the Settlement Deed, the petitioners have been in possession and enjoyment of the property. While so, certain third parties attempted to trespass into the property. Aggrieved by the same, the petitioners filed a suit for permanent injunction in O.S. No.118 of 2023 on the file of the District Munsif Court, Thiruvallur, and the same is pending.

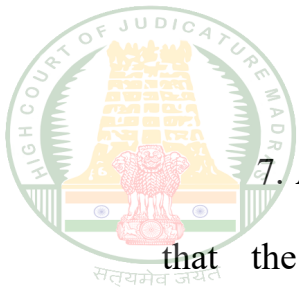
3. There is a Mariamman @ Ettiamman Temple at Pinjivakkam Village, and according to the petitioners, the temple festival has been conducted by their ancestors from time immemorial. During the temple festival, the "Karagam" (Kudam) is taken in procession through the petitioners' property in Survey No.127/1, where the petitioners perform pooja to the Karagam, and the said practice continues even today. However, respondents 6 to 11 contend that the property belongs to the temple and is meant for public use. In connection with the said dispute, an FIR in Crime No.1 of 2025 was registered under Section 126 of the Bharatiya Nagarik Suraksha Sanhita, and the matter was referred to the first respondent.



4. After conducting an enquiry, the first respondent, by proceedings dated 23.08.2025, permitted respondents 6 to 11 to use the Government land during the temple festival without encroaching upon the petitioners' patta land.

5. The learned counsel for the petitioners submitted that, during the pendency of the civil suit, the Tahsildar issued a notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, alleging that the petitioners had encroached upon the subject property. Aggrieved by the same, the petitioners preferred an appeal before the District Collector, and the said appeal is still pending. Apprehending dispossession pending disposal of the appeal, the petitioners approached this Court in W.P. No.20549 of 2026. By order dated 27.05.2026, this Court directed that the eviction order shall not be enforced till the disposal of the appeal. However, the said proceedings are in no way connected with the order passed by the first respondent.

6. As stated above, the first respondent merely permitted the "B" Party to use the Government poromboke land during the temple festival without disturbing the petitioners' patta land. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent warranting interference under Article 226 of the Constitution of India.



7. Accordingly, this Writ Petition is dismissed. No costs. It is made clear that the eviction proceedings initiated under the Tamil Nadu Land Encroachment Act are independent of, and have no connection with, the order passed by the first respondent. It is further made clear that the "B" Party shall not interfere with the peaceful possession and enjoyment of the petitioners' patta land except to the limited extent of using the Government poromboke land during the temple festival, as permitted by the impugned order. If the "B" Party claims any title or independent right over the disputed property, it is always open to them to approach the competent Civil Court for appropriate relief. Consequently, the connected miscellaneous petitions are closed.

08-07-2026

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

Vv

1. The Executive Magistrate cum Revenue Divisional Officer, Thiruvallur and District.
2. The Sub-Inspector of Police, B-3, Kadambathur Police Station, Thiruvallur District.
3. The Tahsildar, Thiruvallur and District.
4. The Revenue Inspector, Vengathur, Thiruvallur District.
5. The Village Administrative Officer, Pinjivakkam Village, Thiruvallur District.
6. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

VV

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