



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Sixth day of August Two Thousand Twenty One

PRESENT

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

and

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

WP.Nos.26364 to 26374 of 2017

and WP.No.14855, 14901 and 14777 of 2021

MRS.NAVAMANI	... PETITIONER in WP No.26364 of 2017
MR.KOTHANDAN	... PETITIONER in WP No.26365 of 2017
MR.KANDASAMY	... PETITIONER in WP No.26366 of 2017
MR.SRIDHAR	... PETITIONER in WP No.26367 of 2017
MRS.LAKSHMI	... PETITIONER in WP No.26368 of 2017
MR.T.A.GNANADURAI	... PETITIONER in WP No.26369 of 2017
MR.AGIN RAJ	... PETITIONER in WP No.26370 of 2017
R.MOHANA	... PETITIONER in WP No.26371 of 2017
V.BALAJI	... PETITIONER in WP No.26372 of 2017
MRS.BHUVANESHWARI	... PETITIONER in WP No.26373 of 2017
MRS.JAYASEELI	... PETITIONER in WP No.26374 of 2017
KOVIL PILLAI	... PETITIONER in WP No.14855 of 2021
K.SHAKILA	... PETITIONER in WP No.14901 of 2021
P.RAMAMURTHY	... PETITIONER in WP No.14777 of 2021

Vs

1 THE DISTRICT COLLECTOR [RESPONDENTS IN WP.Nos.26364
KANCHEEPURAM DISTRICT. to 26374 2017]

2 THE COMMISSIONER
ST.THOMAS MOUNT PANCHAYAT UNION,
CHITLAPAKKAM, CHENNAI-600 064

3 THE THASHILDHAR
SHOLINGANALLUR TALUK, SHOLINGANALLUR,
CHENNAI-600 119

4 THE REVENUE DIVISIONAL OFFICER,
MEDAVAKKAM CIRCLE, SHOLINGANALLUR,
KANCHEEPURAM.



5 THE VILLAGE ADMINISTRATIVE OFFICER,
VENGAIVASAL VILLAGE,
SHOLINGANALLUR

6 THE PRESIDENT,
VENGAIVASAL FIRST GRADE PANCHAYAT,
VENGAIVASAL PANCHAYAT OFFICE,
NOOTHENCHRI VENGAIVASAL, CHENNAI-600 073.

1 THE SECRETARY TO THE GOVERNMENT RESPONDENTS in WP No.14855/2021
OF TAMILNADU REVENUE AND DISASTER
MANAGEMENT DEPARTMENT SECRETARIAT
CHENNAI.

2 THE DISTRICT COLLECTOR,
COLLECTORATE GST ROAD
CHENGALPATTU- 603001.

3 THE TAHSILDAR,
TAMBARAM TALUK,
CHENNAI.

1 THE PRINCIPAL SECRETARY CUM RESPONDENTS in WP No.14901/2021
REVENUE SECRETARY,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI-9.

2 THE ADDITIONAL CHIEF SECRETARY/
THE COMMISSIONER OF LAND ADMINISTRATION,
CHEPAUK, CHENNAI-5.

3 THE COLLECTOR,
OFFICE OF THE COLLECTORATE OF CHENGALPATTU,
CHENGALPATTU DISTRICT.

4 THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICE,
TAMBARAM,
CHENNAI - 600 050.

5 THE TAHSILDAR,
TAMBARAM TALUK OFFICE,
(OLD TALUK-SOLINGANALLUR TALUK OFFICE)
TAMBARAM,
CHENNAI-600 045.



RESPONDENTS in WP No.14777/2021

1 THE COLLECTOR,
CHENGALPET DISTRICT,
COLLECTORATE GST ROAD,
CHENGALPET.

2 THE TAHSILDHAR,
TAMBARAM TALUK,
OFFICE OF THE TAHSILDHAR,
TAMBARAM TALUK OFFICE BUILDING 1ST FLOOR,
GST ROAD, CHITLAPAKKAM,
TAMBARAM,
CHENNAI-600045.

3 N.THANGARAJA

4 MRS.LOGAMBARI

Writ Petitions under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a writ of Mandamus

1.WP No.26364 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 05.09.2017.

2.WP No.26365 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

3.WP No.26366 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

4 WP No.26367 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017



WEB GATES

5 WP No.26368 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

6 WP No.26369 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

7 WP No.26370 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

8 WP No.26371 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

9 WP No.26372 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

10 WP No.26373 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017

11 WP No.26374 of 2017

directing the 1st respondent to disposed of the Appeal filed under section 10 of the Land Encroachment Act 1905, on merits filed by petitioner on 08/09/2017 and consequently direct the respondents to defer the decision of the 3rd respondent in terms of the impugned notice dated 5.9.2017



12 WP No.14855 of 2021

Directing the 1st respondent to consider the revision petition dated 11.05.2021 filed by the petitioner under section 10 (A) (1) (C) of Tamil Nadu Land Encroachment Act 1905 within time frame fixed by this Honble High Court and further direct the 2nd and 3rd respondent to maintain the status quo till disposal of the revision petition, with regard to the property comprised in S.No.78/1, Vengai Vasal Village, Previously Sholinganallur Taluk, Presently Tambaram Taluk for an extent of 284 Sq Meters.

13 WP No.14901 of 2021

Order or direction more particularly in the nature of WRIT OF MANDAMUS forbearing the respondents from disturbing the peaceful possession of the petitioner's building built over a piece of land measuring about 1190 Sq.ft., in S.F.No.78/1 in the Vengaivasal Village Sholinganallur Taluk, (Old Tambaram Taluk) Chengalpet District, situated in Door No.2/153, Vengaivasal Main Road, Vengaivasal, Chennai-600 073, by relaying upon the common order passed in W.P.Nos.26364 to 26376 of 2017 dated 10.10.2017 as if the petitioner is an encroacher of the said property, whereas the said land had been assigned to the petitioner's husband by the 3rd Respondent/District Collector vide his proceedings in R.Dis.No.181163/90 dated 25.02.1990.

14 WP No.14777 of 2021

Direction in the nature of a writ directing the first and second Respondents to abide by appropriate procedure established by law for demolishing the building at No.2/198, Vengaivasal Main Road, Santhoshapuram, Chennai 600 073.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of MR.ETHIRAJALU Advocate for MR.J.ABDUL HADI Advocate for the petitioner in WP.Nos.26364 to 26374/2017 and of MR.P.ARUMUGAVEL Advocate for the Petitioner in WP.14855/2021 and of MR.M.PURUSHOTHAMAN, Advocate for the Petitioner in WP.14901/2021 and of MR.KAVIKANNAN, Advocate for the Petitioner in WP.14777/2021 MR.M.ELUMALAI Additional Government Pleader appearing for RDO and MRS.R.ANITHA Government Advocate (State) on behalf of the Respondents in each of the petitions, the court made the following order:-



[Order of the Court was made by N.KIRUBAKARAN, J.,]

When these matters are called today, Mrs.R.Anitha, Learned State Government Counsel appearing for the Respondents submitted that Appeals / Revisions filed by the Petitioners against the notice issued by the concerned official Respondents under Sections 6 & 7 of the Tamil Nadu Land Encroachment Act, have been rejected by the Government vide order in G.O.Ms.No.500 dated 04.08.2021. Therefore, the Respondents shall serve a copy of the same on the respective Petitioners so as to enable them to work out their remedy.

2. Accordingly, 30 days time is granted for the Petitioners to work out their remedy and the Demolition work in respect of the properties in the above Writ Petitions can be started after a period of 30 days from the date of receipt of a copy of the above said Government Order, being served on the respective Petitioners. It is made clear that the demolition work in respect of the properties in the above Writ Petitions shall not be touched till then.

Call these matters for reporting compliance on 03.09.2021.

-sd/-
06/08/2021
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT COLLECTOR,
KANCHEEPURAM DISTRICT.

2 THE COMMISSIONER,
ST.THOMAS MOUNT PANCHAYAT UNION,
CHITLAPAKKAM, CHENNAI-600 064

3 THE THASHILDHAR,
SHOLINGANALLUR TALUK, SHOLINGANALLUR,
CHENNAI-600 119.

4 THE REVENUE DIVISIONAL OFFICER,
MEDAVAKKAM CIRCLE, SHOLINGANALLUR,
KANCHEEPURAM.

5 THE VILLAGE ADMINISTRATIVE OFFICER,
VENGAIVASAL VILLAGE, SHOLINGANALLUR



WEB COPY

6 THE PRESIDENT
VENGAIVASAL FIRST GRADE PANCHAYAT,
VENGAIVASAL PANCHAYAT OFFICE, NOOTHENCHRI
VENGAIVASAL, CHENNAI-600 073

7 THE SECRETARY TO THE GOVERNMENT OF TAMILNADU
REVENUE AND DISASTER
MANAGEMENT DEPARTMENT SECRETARIAT
CHENNAI.

8 THE DISTRICT COLLECTOR,
COLLECTORATE GST ROAD
CHENGALPATTU- 603001.

9 THE TAHSILDAR,
TAMBARAM TALUK,
CHENNAI.

10 THE PRINCIPAL SECRETARY CUM
REVENUE SECRETARY,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI-9.

11 THE ADDITIONAL CHIEF SECRETARY/
THE COMMISSIONER OF LAND ADMINISTRATION,
CHEPAUK, CHENNAI-5.

12 THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICE,
TAMBARAM,
CHENNAI - 600 050.

Order

in

WP.Nos.26364 to 26374 of 2017

and WP.No.14855, 14901 and 14777 of 2021

Date :06/08/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
SDR 26/07/2021
PA 13/08/2021