



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.2127 OF 2021

AND W.M.P.NO.2410 OF 2021

G.Gajendran

... Petitioner

Vs

- 1 The State of Tamil Nadu
Rep. by its Secretary to Government
Department of Revenue,
Fort St. George, Chennai - 600 009.
- 2 The State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Public Works,
Fort St. George, Chennai - 600 009.
3. The District Collector,
Office of the District Collector,
Chengalpattu District, Chengalpattu 603 001.
4. The Revenue Divisional Officer,
Tambaram.

(R-4 suo motu impleaded vide order
order dated 5.7.2021 made in WP.2127/2021 by NKKJ, TVTSJ)

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the respondents to re-examine the classification of the area occupied by the members of the Ramakrishnapuram Kudiyiruppor Nala Sangam which physically do not form part of the Chitlapakkam Eri and to



change its classification and grant patta to the members of the Association under various G.Os. of the Government of Tamil Nadu.

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For the Petitioner : Mr.R.Sathish Kumar

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mrs.R.Anitha,
Spl. Government Pleader

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The writ petition has been filed seeking a direction on the respondents to re-examine the classification of the area occupied by the members of Ramakrishnapuram Kudiyiruppor Nala Sangam.

2. Learned counsel for the petitioners submitted that the land in question should have been re-classified by the respondents looking to its use and the non-existence of waterbody. According to the petitioner, the representation given has not yet been considered and, therefore, he has filed the writ petition.

3. We have considered the submissions made by learned counsel for the petitioner and find that no document has been produced or an affidavit has been filed to indicate the right of the petitioner in the land or the basis to seek re-classification. If the land is a waterbody, the prayer for re-classification cannot be made. The members of Ramakrishnapuram Kudiyiruppor Nala Sangam seem to have occupied the land belonging to the respondent State and that too without the authority of law. Therefore, the action of the respondent authorities to remove the encroachments cannot be faulted and even otherwise no basis has been disclosed for grant of the prayer regarding re-classification of the land belonging to the respondent State.



4. The writ petition, having no merit, is dismissed. No costs. W.M.P.No.2410 of 2021 is closed.

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Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1 The Secretary to Government of Tamil Nadu
Department of Revenue,
Fort St. George, Chennai - 600 009.
- 2 The Secretary to Government of Tamil Nadu,
Department of Public Works,
Fort St. George, Chennai - 600 009.
3. The District Collector,
Office of the District Collector,
Chengalpattu District, Chengalpattu 603 001.
4. The Revenue Divisional Officer,
Tambaram.

+1cc to the Government Pleader, S.R.No.1944

[29/04/2022]

W.P.No.2127 of 2021

SR(CO)
PM/12/01/2022