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W.P.No.24344 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24344 of 2023

T.Baby Ezhilarasi

... Petitioner

Vs

1.The Revenue Division Officer,
Tambaram Taluka,
Tambaram,
Chennai – 600 045.

2.The Thasildhar,
Tambaram Taluka,
Tambaram,
Chennai – 600 045.

3.The Sub Registrar,
Sub Registrar Office,
Selaiyur,
Chennai – 600 073.

4.State rep by
The Inspector of Police,
T-12, Selaiyur Police Station,
Selaiyur,
Chennai – 600 073.

5.S.Mohammed Ali Jinnah

6.The Commissioner of Land Administration,
Chepauk, Chennai.



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7. The District Collector,
Chengalpattu.

... Respondents

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[R6 & R7 suo motu impleaded vide order dated
13.09.2023 in WP.No.24344 of 2023]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 08.06.2023 and to take appropriate measures in clearing undue encumbrances over the property.

For Petitioner : Mr.L.Infant Dinesh

For R1 to R4, R6 and R7 : Mr.R.Ramanlaal,
Additional Advocate General-IV.

For R5 : Mr.G.Mohammed Aseef

ORDER

The Commissioner of Land Administration, Chepauk, Chennai and the District Collector, Chengalpattu District have been *suo motu* impleaded as respondents for the purpose of conducting an enquiry and to ascertain the classification and status of the subject property in the present writ petition for resuming the land, if it is found to be a Grama Natham – Government Poromboke or Meikkal Poromboke land



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2. The relief sought for in the present writ petition is to direct the 1st respondent/Revenue Divisional Officer Tambaram to consider the representation submitted by the writ petitioner on 08.06.2023. The representation submitted by the petitioner reveals that some other persons are causing disturbance to his possession and more specifically, the 5th respondent along with his henchmen are attempting to trespass into the property belonging to the writ petitioner.

3. Perusal of the affidavit and document enclosed along with the writ petition reveal that the subject land was initially classified as 'Grama natham' and subsequently Tambaram Taluk has been brought under the Chennai city limits.

4. The District Collector, Chengalpattu imposed ban on assignment of lands in and around Chennai city and Chengalpattu



surrounding areas. The ban imposed in the year 1952 was extended in the year 1962 by the Government of Tamil Nadu. Accordingly, the Revenue Authorities are not empowered to assign lands in an around Chennai belt area and any other towns including the objectionable Porombokes and water bodies.

5. Any such assignment if made illegally or erroneously, it must be reviewed and actions are to be taken to cancel such assignments and to resume the lands for the purpose of public use or to reassign the lands by following the procedures contemplated under the Revenue Standing Orders.

6. In the present case, the land was re-classified from Meikal Poromboke to Grama Natham. The very statement in this regard made by the petitioner seems to be doubtful. The reason for re-classification of Meikal Poromboke land as Grama Natham is not stated by the petitioner. There are encroachments in the said area, which is highly



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valuable as of now and may be required for public purposes.

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7. In view of the facts and circumstances, the respondents 1 and 2 and the impleaded respondents 6 and 7 are directed to conduct an enquiry ascertaining the classification and status of the lands and initiate all appropriate actions to resume the lands, if it is found to be Government Poromboke, Grama Natham, Meikal Poromboke, water body etc., If it is found to be a Government land actions are to be initiated to evict the encroachments and utilise the land for public purpose in the manner contemplated. The said exercise is directed to be completed by the respondents 1 and 2 and the impleaded respondents 6 and 7 within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. Accordingly, the Writ Petition stands disposed of. No costs.

13.09.2023



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veda/jeni

Index : Yes

Speaking order

Neutral Citation : Yes

Note:Registry is directed to carry out the necessary amendment in the cause title.

To

- 1.The Revenue Division Officer,
Tambaram Taluka,
Tambaram,
Chennai – 600 045.
- 2.The Thasildhar,
Tambaram Taluka,
Tambaram,
Chennai – 600 045.
- 3.The Sub Registrar,
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Selaiyur,
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- 4.The Inspector of Police,
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S.M.SUBRAMANIAM, J.

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