



W.P.No.24886 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

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

W.P.No.24886 of 2023

S.Bhuvaneshwari

.. Petitioner

Vs.

1. The District Collector
Collectorate Office
Thiruvallur 602 001.
2. The District Revenue Officer
Collectorate Office
Thiruvallur 602 001.
3. The District Registrar
Registration Department
Veeraraghava Nagar
Thiruvallur 602 001.
4. The Revenue Divisional Officer
Revenue Divisional Office
Ponneri 601 204
Thiruvallur District.
5. The Tahsildar
Taluk Office, Ponneri 601 204
Thiruvallur District.



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6. The Sub Registrar
Sub Registrar Office
No.2, Soothupakkam, Redhills Road
Palavayal, Chennai 600 052.
7. The Sub Registrar
Sub Registrar Office
Thiruvottiyur
Chennai 600 019.
8. The Block Development Officer/
Commissioner
Sholavaram Panchayat Union
Ponneri Taluk, Thiruvallur District.
9. Gebilal Alias B.Shanthilal
- 10.Kanchan
- 11.B.K.Vimalchand
- 12.K.Abhaya Kumar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the 5th and 8th respondents to remove the encroachments within the boundaries of the pond in Survey No.46 situated at Perungavur Village, Vichur Post, Ponneri Taluk, Thiruvallur District as per the records of the revenue Revision Survey and Re-Settlement Register (RSRS) of the Perungavur Village and restore the pond to its original condition as found in the records of the revenue department.



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For the Petitioner : Mr.Abdul Mubeen
For Mr.K.Ezhumalai

For the Respondents : Mr.P.Muthukumar
State Government Pleader
Assisted by
Mr.K.M.D.Muhilan
Additional Government Pleader
for Respondents 1 to 8

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.Abdul Mubeen, learned counsel for Mr.K.Ezhumalai, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.M.D.Muhilan, learned Additional Government Pleader for the respondents 1 to 8.

2. Learned counsel for the petitioner submits that S.No.46 at Perungavur Village, Vichur Post, is classified as a pond. The encroachment has been made on the said pond. The petitioner has given representation. But, no action has been taken.

3. Learned State Government Pleader submits that S.No.46 is classified as Ryot Punjai. Patta is already issued in favour of an



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individual, namely 12th respondent.

4. If patta is already issued, remedy is available to challenge the patta before the appropriate authority under the provisions of the Tamil Nadu Patta Passbook Act.

5. In the light of that, the petitioner may take steps as may be permissible under law. In that event, all contentions of respective parties are kept open.

6. The writ petition is disposed of with the aforesaid observations. There will be no order as to costs. Consequently, W.M.P.No.24317 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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