



W.P.Nos.28633, 28637, 28640
& 28642 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.Nos.28633, 28637, 28640 & 28642 of 2023

S.Selvi	..	Petitioner in W.P.No.28633 of 2023
V.Saravanan	..	Petitioner in W.P.No.28637 of 2023
A.Palani	..	Petitioner in W.P.No.28640 of 2023
R.Nagarajan	..	Petitioner in W.P.No.28642 of 2023

Vs.

1. The Section Officer
Public Works Department –
Water Resources Organisation
Red Hills Irrigation Section
Red Hills, Chennai – 600 052.
2. The Tahsildar
Ambattur Taluk
Ambattur, Chennai – 600 053.

Page 1 of 6



W.P.Nos.28633, 28637, 28640
& 28642 of 2023

WEB COPY

3. The Government of Tamil Nadu
Rep. by its Secretary
Public Works Department
Fort St. George
Chennai – 600 009.

.. Respondents in all W.Ps

Common Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for the records relating to the impugned notice No.892/Pi.A/2023 dated 13.09.2023 issued by the Section Officer, Public Works Department – Water Resources Organisation, Red Hills Irrigation Section, Red Hills, Chennai – 600 052, the first respondent herein and quash the same.

For the Petitioner : Mr.J.Thilagaraj
in all W.Ps

For the Respondents : Mr.P.Muthukumar
in all W.Ps
State Government Pleader
assisted by Mr.K.Karthik Jagannath
Government Advocate

COMMON ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.J.Thilagaraj, learned counsel for the petitioners and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.Karthik Jagannath, learned Government Advocate for the respondents.

2. Learned counsel for the petitioners submits that the petitioners are the legitimate owners and possessors of the land in



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S.No.331/10A3A. However, notice under Form-3 was issued, directing the petitioners to remove the encroachment from the land in S.No.813.

3. According to learned counsel for the petitioners, the petitioners have no concern with S.No.813, neither they have encroached S.No.813. Under the garb of removal of encroachment from S.No.813, the respondent Authorities are trying to trespass over the land of the petitioners in S.No.331/10A3A.

4. Learned State Government Pleader submits that the encroachment made in S.No.813 is only sought to be removed and no action has been taken so far in respect of S.No.331/10A3A, as Form-3 notice is not issued for S.No.331/10A3A.

5. The petitioners claim that they have patta over the land in S.No.331/10A3A. The petitioners admittedly are not concerned with S.No.813. The Form-3 notice is issued in respect of S.No.813 and not S.No.331/10A3A. Naturally, action is to be taken by the respondent



W.P.Nos.28633, 28637, 28640
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WEB COPY

Authorities *qua* S.No.813 and not S.No.331/10A3A. In case there is encroachment in S.No.813, then the respondent Authorities are entitled to proceed further. In case, the petitioners are aggrieved by any measurement or so, they are entitled to assail the same, in accordance with law.

6. These writ petitions, as such, stand disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.28184, 28187, 28188 & 28190 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

29.09.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(drm)

W.P.Nos.28633, 28637, 28640
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