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W.P.No.4539 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.02.2024

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN
AND
THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

W.P.No.4539 of 2024

M.Selvam

.. Petitioner

Vs.

1.The District Collector
Thiruvallur District
Thiruvallur

2.The Inspector General of Registration
Inspector General of Registration Office
Chennai 600 028

3.The District Registrar
District Registrar Office
Thiruvallur

4.The Sub Registrar
Redhills SRO, Redhills
Chennai 600 052

5.B.Vijaya

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 4 to take appropriate action and to remove the encroachments in the following Government poramboke lands situated at



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Sl. No.	Survey No.	Classification of land	Nature of the land	Village
1	1	Government Poramboke	Water body	Vilangadupakkam
2	26	Government Poramboke	Burial ground	Vilangadupakkam
3	50	Government Poramboke	Temple	Vilangadupakkam
4	87(1)	Government Poramboke	Temple	Vilangadupakkam
5	88(1A1A)	Government Poramboke	Temple	Vilangadupakkam
6	94	Government Poramboke	Water body	Vilangadupakkam
7	102	Government Poramboke	Cart Track	Vilangadupakkam
8	121	Government Poramboke	Burial ground	Vilangadupakkam
9	158(1B)	Government Poramboke	Waste land	Vilangadupakkam
10	230	Government Poramboke	Water body	Vilangadupakkam
11	232	Government Poramboke	Water body	Vilangadupakkam
12	242(1)	Government Poramboke	Washermen place	Vilangadupakkam
13	270(1C, 2A, 2B)	Government Poramboke	Waste land	Vilangadupakkam
14	282	Government Poramboke	Waste land	Vilangadupakkam
15	305(2)	Government Poramboke	Waste land	Vilangadupakkam
16	442	Government Poramboke	Waste land	Vilangadupakkam
17	526	Government Poramboke	Temple	Vilangadupakkam
18	528	Government Poramboke	Temple	Vilangadupakkam
19	529	Government Poramboke	Waste land	Vilangadupakkam
20	531(2)	Government Poramboke	Temple	Vilangadupakkam
21	582	Government Poramboke	Paddy field	Vilangadupakkam
22	621	Government Poramboke	Canal	Vilangadupakkam
23	622(1)	Government Poramboke	Waste land	Vilangadupakkam
24	664	Government Poramboke	Graze land	Vilangadupakkam
25	672	Government Poramboke	Canal	Vilangadupakkam
26	674	Government Poramboke	Water channel	Vilangadupakkam
27	675	Government Poramboke	Graze land	Vilangadupakkam
28	676	Government Poramboke	Graze land	Vilangadupakkam



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<i>Sl. No.</i>	<i>Survey No.</i>	<i>Classification of land</i>	<i>Nature of the land</i>	<i>Village</i>
29	39	Government Poramboke	Temple	Sirungaavur
30	61(1)	Government Poramboke	Cart Track	Sirungaavur
31	113(2)	Government Poramboke	Canal	Sirungaavur
32	119	Government Poramboke	Water body	Sirungaavur
33	120(1)	Government Poramboke	Water body	Sirungaavur

Ponneri Taluk, Tiruvallur District, based on the representation dated 03.02.2023 and 04.08.2023 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.C.Prabakaran
For R1 : Mr.T.K.Saravanan
Government Advocate
For R2 to R4 : Mr.Yogesh Kannadasan
Additional Government Pleader

ORDER

(Order of the court was made by R. MAHADEVAN, J.)

According to the petitioner, in the village revenue records, it was found that several acres of Government poramboke lands / water bodies were encroached by various individuals. Further, some of the encroached lands were sold and remaining lands were being used according to their necessities. Stating so, the petitioner submitted a representation to the official respondents on 03.02.2023 requesting to conduct enquiry and take necessary steps to remove



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the encroachment. Upon receipt of the same, the Additional Inspector General of Registration, by proceedings dated 24.03.2023, directed the 3rd respondent to take appropriate action under Section 77-A of the Registration Act, 1908 and intimate the action taken to the petitioner. Subsequently, the petitioner approached the 3rd respondent to furnish the details of the action taken on his representation. However, no reply was received. Hence, he submitted another representation to the official respondents on 14.08.2023 requesting to take necessary action against the encroachments made in the lands / water bodies, which was also not considered, till date. Therefore, the petitioner is before this court with the present writ petition as a public interest litigation.

2.The learned counsel appearing for the petitioner submitted that despite the representations having been made insisting the authorities to restore the Government lands / water bodies, the details of which are furnished by the petitioner in the tabulated form, the official respondents have not taken any steps to remove the encroachments and restore the same as classified. Hence, the learned counsel prayed for appropriate direction to the respondent authorities in this regard, by considering the petitioner's representations dated 03.02.2023 and 14.08.2023.



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3.Heard Mr.T.K.Saravanan, learned Government Advocate, taking notice for the first respondent and Mr.Yogesh Kannadasan, learned Additional Government Pleader, taking notice for the respondents 2 to 4, and also perused the documents enclosed in the typed set of papers.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent authorities to consider the representations of the petitioner dated 03.02.2023 and 14.08.2023 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all the parties concerned, including the petitioner and the fifth respondent herein, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

[R.M.D,J.] [M.S.Q, J.]

26.02.2024

Neutral Citation : Yes/No
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AND
MOHAMMED SHAFFIQ, J.

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To

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