



WP Nos.7594 & 7595/2011
and WP No.8794/2020



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2025

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CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**WP Nos. 7594 & 7595 of 2011
and W.P.No.8794 of 2020 and
WMP Nos. 10674 & 10675 of 2020**

1. K.Shanmugavel Mudaliar
2/764 Pillaiyar Koil St, Pozhichallur,
Chennai 74

Petitioner(s)

Vs

1. The Secretary
Government Of Tamilnadu, Dept. Of
Revenue, Fort St.George, Chennai 9

2.The Collector
Kanchipuram And Dt

3.The District Revenue Officer
Kanchipuram And Dt

4.The Asst. Settlement Officer
(North), Survey And Settlement Office,
Chepauk, Chennai 5

5.The Tahsildar



WP Nos.7594 & 7595/2011
and WP No.8794/2020



Alandur Taluk, 1 St Main Road,
Nanganallur, Chennai 61

6.The Special Tahsildhar

Natham Land Survey, Krishna Nagar,
Mudichur Road, Tambaram,
Chennai 45

7.The Director Of Town And Country
Planning,

DTCP, CMDA Office Complex, C
And C Market Road, Srinivasa Nagar,
Virugambakkam, Koyambedu,
Chennai, Tamilnadu-600 107.

(R7-impleaded as per Order dated
21.02.2024 in WP.7594/2011 by SMSJ
and KRSJ)

8.M.Aruleesan, S/o.P.S.Murugesu

Mudaliar,
New No.2/309, Pillaiyar Koil St,
Pozhichalur, Chennai.74.

9.M.Sarvesan, S/o.P.S.Murugesu

Mudaliar,
New No.2/310, Pillaiyar Koil St,
Pozhichalur, Chennai.74.

(R8 and R9 are impleaded as per Order
dated 14.03.2024 in MP.4/2011 in
WP.7594/2011 by SMSJ and KRSJ)

Respondent(s)



WP Nos.7594 & 7595/2011
and WP No.8794/2020



WMP No. 10675 of 2020

1. P.V.Vinayagam

Son of Shri Vedhachalam No. 8 / 203
Vedhachalam Street Near Thirumalai
Nagar Pozhichalur, Chennai 600 074

Petitioner(s)

Vs

1. The State of Tamilnadu

Represented by the Secretary,
Environment and Forest Department
Secretariat, Fort St. George, Chennai 09

2.The Commissioner
of Land Administration, Chepauk,
Chennai 05

3.The Commissioner of Revenue
Administration
Chepauk, Chennai 05

4.The Commissioner
Greater corporation of Chennai Rippon
Buildings, Chennai 600 003

5.The District Collector
Chengalpet, Chengalpet District

6.The District Revenue Officer
Tambaram, Chengalpet District

7.The Tahsildar
Pallavaram Taluk Chengalpet District



WP Nos.7594 & 7595/2011
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8.The Commissioner
Punitha Thomaiyarmalai Panchayat
Union at Chitlapakkam No. 20,
Chitlapakkam Main Road, Nehru
Nagar, Chitlapakkam, Chennai 600 064

9.K.Shanmugavel
Son of Shri Kumarasamy Mudaliar, No.
2 / 764 Pillaiyar Koil Street
Pozhichalur, Chennai 600 074

10.The Chairman and Managing
Director
Electricity Board, N.P.K.R Ramasamy
Maaligai, No. 144, Anna Salai,
Chennai 02

11.The Director Of Town And Country
The Director Of Town And Country
Planning, Dtcp, Cmda Office
Complex, C And C Market Road,
Srinivasa Nagar, Virugambakkam,
Koyambedu, Chennai, Tamilnadu-600
107.(R11-impleaded as per Order dated
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WMP No. 10674 of 2020

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Petitioner(s)



WP Nos.7594 & 7595/2011
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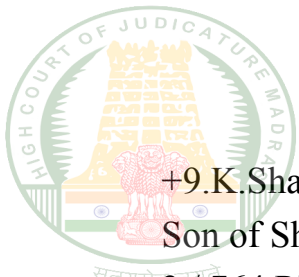
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Chengalpet, Chengalpet District

6. The District Revenue Officer
Tambaram, Chengalpet District

7. The Tahsildar
Pallavaram Taluk, Chengalpet District

8. The Commissioner
Punitha Thomaiyarmalai Panchayat
Union at Chitlapakkam No. 20,
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WP Nos.7594 & 7595/2011
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+9.K.Shanmugavel

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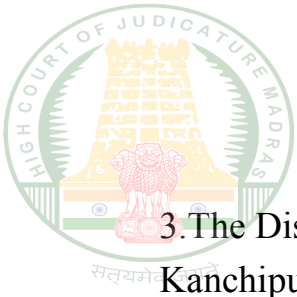
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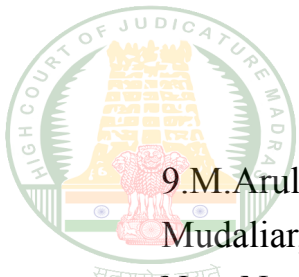
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New No.2/310, Pillaiyar Koil St,
Pozhichalur, Chennai.74.

(R9 and R10 are impleaded as per
Order dated 14.03.2024 in MP.2/2011
in WP.7595/2011 by SMSJ and KRSJ)

Respondent(s)

WP No. 8794 of 2020

1. P.V.Vinayagam
Son of Shri Vedhachalam No. 8 / 203
Vedhachalam Street Near Thirumalai
Nagar Pozhichalur, Chennai 600 074

Petitioner(s)

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Chepauk, Chennai 05



WP Nos.7594 & 7595/2011
and WP No.8794/2020



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Greater Corporation of Chennai Rippon
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5.The District Collector

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6.The District Revenue Officer

Tambaram, Chengalpet District

7.The Tahsildar

Pallavaram Taluk Chengalpet District

8.The Commissioner

Punitha Thomaiyarmalai Panchayat

Union at Chitlapakkam No. 20,

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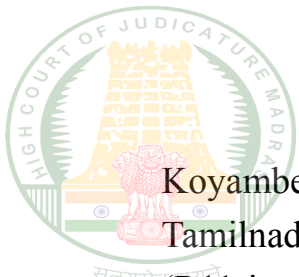
Chennai 02

11.The Director Of Town And Country

Planning, DTCP, CMDA Office

Complex, C And C Market Road,

Srinivasa Nagar, Virugambakkam,



WP Nos.7594 & 7595/2011
and WP No.8794/2020



Koyambedu, Chennai,
Tamilnadu-600 107.

(R11-impleaded as per Order dated
21.02.2024 in WP.8794/2020 by SMSJ
and KRSJ)

Respondent(s)

WP No. 7594 of 2011

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of Certiorarified Mandamus to call for the records relating to the G.O. (Ms) No.1177 Commercial Taxes and Religious Endowment Department dt 30.10.1987 and G.O. No. (General) No. 1971 Revenue (SSII) Department dated 14.10.1988 and pursuant followed by above G.O's consequentially issued by present G.O.(Ms) No.760 Revenue (SSIV) Department dated 19.12.2007 and G.O. (2D) No.37 Revenue (SSIV) Department dated 29.01.2009 issued by the 1st respondent and quash the same as ultra virus and consequently forebear the respondents and their subordinates, from any way restrict or control to refuse grant patta or survey of the petitioners possession and enjoyment of the land ad measuring 6 Acres in S. No.210/2, grama natham, as pozhichallur minor inam Village, Alandur Taluk, Kancheepuram District.

WMP No. 10675 of 2020

PRAYER

To grant ad interim direction to the 10th Respondent herein to disconnect the power supply granted to the 9th respondent for the constructions in the properties comprised in Old Survey No. 210/2, New Survey No. 371/1, to an extent of 0.82.5 Hectares and Survey No. 181 measuring an extent of 0.20.5 Hectares situated at Village No. 02, Pozhichalur village, Pallavaram Taluk, Chengapet District pending disposal for the above writ petition.

WMP No. 10674 of 2020

PRAYER

To grant ad-interim injunction restraining the 9th Respondent herein from putting up further constructions in the properties comprised in Old Survey No.



210/2, New Survey No. 371/1, to an extent of 0.82.5 Hectares and Survey No. 181 measuring an extent of 0.20.5 Hectares situated at Village No. 02, Pozhichalur village, Pallavaram Taluk, Chengalpet District pending disposal of the above writ petition.

WP No. 7595 of 2011

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of Declaration to call for the records from the 6th respondent and declaring that the Grama Natham survey entire process of measuring, altering the revenue records by drawing an FMB plan and without any enquiry issuing of FORM-1 notice and without any enquiry issued FORM-4 notice, entire all proceedings of the 6th respondent in Grama Natham survey land of Pozhichalur village as per G.O. No. (General) No. 1971 Revenue (SSII) Department dated 14.10.1988 and consequential G.O.(Ms) No.760 (Revenue) Department dated 19.12.2007 and G.O. (2D) No.37 Revenue (SSIV) Department dated 29.01.2009 as null and void and against law and against the principles of natural justice and consequently declare the same as private property, irrespective of any buildings, sheds are constructed or not such property never vest with government or local bodies or religious endowments as temple sites in respect of Grama Natham property belongs to the petitioner, ad measuring 6 Acres in S.No.210/2, at Pozhichallur minor inam village, Alandur Taluk, Kancheepuram District.

WP No. 8794 of 2020

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of Mandamus to direct the Respondents 1 to 8 protect and preserve the pond and Thrashing Field comprised in Old Survey No. 210/2, New Survey No. 371/1, to an extent of 0.82.5 Hectares and Survey No. 181 measuring an extent of 0.20.5 Hectares situated at Village No. 02, Pozhichalur village, Pallavaram Taluk, Chengalpet District be maintained as a water body and for public purposes and consequently remove all encroachments thereon in terms of provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and other applicable acts and protect and preserve the said tank.



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WP Nos.7594 & 7595/2011
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W.P.No.7594 of 2011

For Petitioner(s): Mr.T.Saikrishnan
For Respondent(s): Mr.Vadivelu Deenadayalan
AGP For RR1 to 7

W.P.No.7595 of 2011

For Petitioner(s): Mr.T.Saikrishnan
For Respondent(s): Mr.K.Karthikeyan,
GA (HR & CE) For R8
Ms.S.P.Arthi
For RR9 and 10

W.P.No.8794 of 2020

For Petitioner(s): Mr.N.Nithianandam
For Respondent(s): Mr.Vadivelu Deenadayalan
AGP For RR1 to 3, 5 to 7 & 11
Mr.V.Jayaprakash Narayanan
For R8
Mr.T.Saikrishnan For R9
No appearance For RR4 & 10

ORDER

(Order of the Court was made by S. M. SUBRAMANIAM,J.)

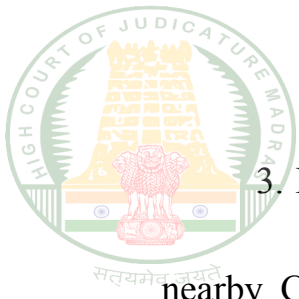
The Tahsildar, Pallavaram Taluk, Chengalpet District filed a Status Report. Status Report reveals that pursuant to the orders of this Court, dated 10.03.2025 and considering the large number of encroachments in various



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Government lands were involved including water bodies, a Divisional Level Committee has been constituted by the District Collector, Chengalpet in proceeding dated 14.03.2025 to carry out enumeration work and to evict the encroachments in Government lands. The Committee consist of (1) Revenue Divisional Officer, Tambaram - Chairman, (2) Tahsildar, Pallavaram – Member (3) Executive Engineer, Kosasthalaiyar Basin Division, Thiruvallur – Member, (4) Deputy Director, Animal Husbandary Department, Chengalpattu – Member (5) Assistant Director, Mines and Minerals Department, Chengalpattu – Member, (6) Inspector of Survey, Tambaram Division – Member, (7) Block Development Officer, St. Thomas Mount Block – Member, (8) Zonal Deputy Tahsildar, Pallavaram – Member.

2. The learned Additional Government Pleader would submit that as far as the subject Government land involved in the present writ petitions are concerned, notice had been issued and the encroachers are already evicted. The Committee constituted by the District Collector is in the process of carrying out further enumeration work for the purpose of evicting the encroachers in the water bodies and Government lands in the district.



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3. It is needless to state that most of the areas in Chengalpet District falls nearby Chennai City i.e., suburban. The market value of the lands are sky-rocketing and few greedy men are attempting to grab the government lands even by manipulating the revenue records in a fraudulent manner. Thus, the Committee is expected to be vigilant and evict the encroachers and protect the Government lands, for the benefit of the public and to develop the public welfare projects or schemes as the case may be.

4. In view of the fact that the order of this Court has been complied with and encroachers are evicted, no further orders are required. The Committee constituted shall proceed with the removal of all encroachments as expeditiously as possible, without causing any undue delay. In the event of inaction, omission or otherwise, the petitioners are at liberty to move this Court, for passing further orders or otherwise.

(S.M.SUBRAMANIAM J.) (K.RAJASEKAR J.)

01-04-2025

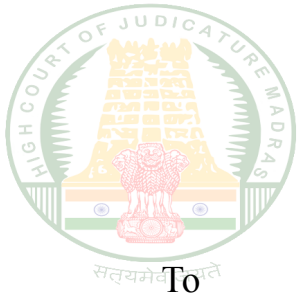
ssi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP Nos.7594 & 7595/2011
and WP No.8794/2020



WP No. 7594 of 2011

To

1. The Secretary

Government Of Tamilnadu, Dept. Of
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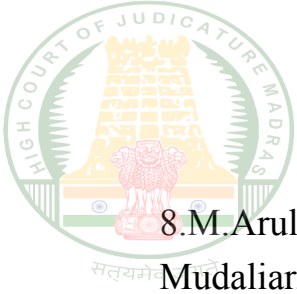
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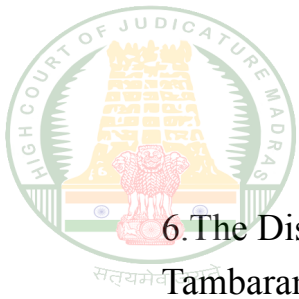
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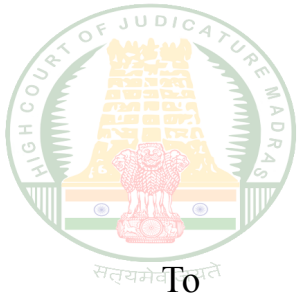
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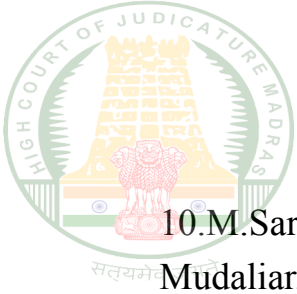
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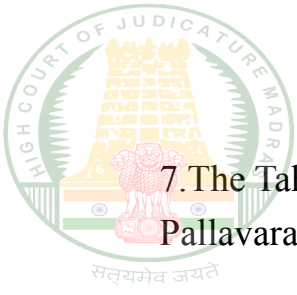
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Director

Electricity Board, N.P.K.R Ramasamy

Maaligai, No. 144, Anna Salai,

Chennai 02

11.The Director Of Town And Country

Planning, DTCP, CMDA Office

Complex, C And C Market Road,

Srinivasa Nagar, Virugambakkam,

Koyambedu, Chennai,

Tamilnadu-600 107.

(R11-impleaded as per Order dated

21.02.2024 in WP.8794/2020 by SMSJ

and KRSJ)



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WP Nos.7594 & 7595/2011
and WP No.8794/2020



S.M.SUBRAMANIAM J.
AND
K.RAJASEKAR J.

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**WP Nos. 7594 & 7595 of 2011
and W.P.No.8794 of 2020 and
WMP Nos. 10674 & 10675 of
2020**

01-04-2025