



W.P.No.8198 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM :

**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

W.P.No.8198 of 2019

and

W.M.P.No.8760 & 22884 of 2019 & 3342 of 2022

S.Vasanthakumari

...Petitioner

-Vs-

- 1.The District Collector,  
The District Collector Office,  
Kancheepuram District
- 2.The Revenue Divisional Officer,  
The Revenue Divisional Office,  
Kancheepuram District
- 3.The Thasildar,  
Sriperumbudur Taluk,  
Kancheepuram District
- 4.The Village Officer,  
Sennakuppam Village, Mathur Post,  
Sriperumbudur Taluk,  
Kancheepuram District - 603105

...Respondents



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**Prayer :** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1<sup>st</sup> respondent to forbear from the construction of building in the residential property of the petitioner in Meikal Purompoke land with survey number of 57, Sennakuppam Village in Kancheepuram District which is constructing without following the procedure established by law and to allow the landless petitioner to reside in her residential property.

For petitioner : M/s.P.Uma

For respondents : Mr.S.J.Mohamed Sathik  
Government Advocate

### **ORDER**

This writ petition has been filed for direction forbearing the first respondent from the construction of building in the petitioner's property comprised in S.No.57, Sennakuppam Village in Kancheepuram District.

2. The land comprised in S.No.57, Sennakuppam Village in Kancheepuram District has classified as Meikal Poramboke admeasuring 1 Acre 57 cents. Out of 1 Acre 57 cents, the petitioner had occupied 4 cents of land and put up hut. The petitioner put a residence in the said place and also paid revenue fees for the said property. She is being a landless poor



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lady was evicted from the said place. During flood when she was trying to put up hut but she was thrown out from the respective property. Her property was allocated for construction of veterinary Hospital.

3. On perusal of the counter affidavit filed by the respondents revealed that the property comprised in S.No.57 in Sennakuppam Village has classified as Meikal Poramboke. Further, the land comprised in S.No.57/8A, Oragadam Village has been allocated to construct veterinary hospital and also transfer in the name of Veterinary Department to construct veterinary hospital in respect of the land comprised in S.No.57 in No.134, Chennakuppam Village is comprised of 12 sub division and has been allotted and owned by SIPCOT Government of Tamilnadu, undertaking comprised of Patta No.787. While being so, the petitioner encroached the same portion of land comprised in S.No.57 and put up a hut. Further on perusal of photograph produced by the petitioner, it is not visible for residing there. The land which was allotted in favour of Animal Husbandary Department comprised in S.No.57/8B was originally classified as Meika Poromboke. After transfer in favour of the Animal Husbandry Department



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for the construction of veterinary hospital as per the order of the first respondent dated 13.08.2018 and upon getting enter upon permission, the construction of veterinary Hospital has also commenced as early as in the year 2018 with the funds allotted by the Government. At this juncture the petitioner approached this Court and obtained status quo order dated 22.03.2019. The petitioner is residing in the patta land comprised in S.No.104/8, Sennakuppam Village by put up Pakka House. On perusal of the statement of the Village Administrative Officer revealed that the said land was allotted in favour of the Animal Husbandry Department by G.O.(D).No.28, Animal Husbandry Dairying and Fisheries (AH3) dated 21.02.2017. Already construction has been started. That apart the petitioner had constructed Pakka house in the land comprised in S.No.104/8 and living there along with her family members. Therefore, the petitioner has no right over the property comprised in S.No.57.



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4. Therefore, this writ petition is devoid of merits and liable to be dismissed. The first respondent is at liberty to proceed with construction with police aid. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

30.04.2024

Index : Yes/No  
Speaking/Non-Speaking order  
Neutral Citation : Yes/No  
gvn

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**G.K.ILANTHIRAIYAN,J.**  
gvn

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