



WP No.24805 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2024

CORAM

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE P.B. BALAJI
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J.Jeevakumar : Petitioner

versus

- 1.The Secretary to Government,
Revenue & Disaster management Department,
Fort St.George, Chennai 9
- 2.The Commissioner
Land Reforms, Ezhilagam
Chennai 600 005
- 3.The District Collector,
Collectorate, I Floor,
Tiruvallur District 602 001
- 4.The Tahsildar,
Poonamallee Taluk,
5, Trunk Road, EttimaRoad,
Poonamallee, Chennai 56
- 5.The District Revenue Officer, Tiruvallur
- 6.Howden Air and Gas India Pvt Ltd
(Fakt India) No.147, Poonamallee High Road,
opp ACS Medical College, Numbal, Goparasanallur,
Chennai 600 077 : Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 25.05.2024 for removing the encroachment on vital water bodies and burial grounds specifically at S.Nos.2, 6/1, 8/1, 8/5 and S.Nos.16 and 17 at Puliyambedu Noombal Village and S.No.109 and 55 at Goparasanallur village, S.No.8/1, 8/2 and 8/3 at Boothan Lands at Kattupakkam Village, Poonamallee Taluk, Tiruvallur District by land grabbers.

For the Petitioner : Mr.M.Ramalingam
For Respondents 1 to 5 : Mr.M.Habeeb Rahman,
Government Advocate

ORDER

(Made by P.B. BALAJI, J.)

The petitioner has filed this writ petition as a public interest litigation. The petitioner seeks direction to respondents 4 and 5 for taking action to remove the encroachments in waterbodies and burial grounds found at S.Nos.2, 6/1, 8/1, 8/5 and S.Nos.16 and 17, Puliyambedu Noombal Village and S.No.109 and 55, Goparasanallur village, S.No.8/1, 8/2 and 8/3, Boothan Lands at Kattupakkam Village, Poonamallee Taluk, Tiruvallur District.

2. According to the petitioner, land grabbers have occupied the



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above mentioned lands for several years and despite representations made by him, lastly on 25.05.2024, the official respondents have not taken any steps for removing such encroachments.

3. Mr.M.Habeeb Rahman, learned Government Advocate, on written instructions from the Tahsildar, Poonamallee, submitted that steps have already been taken for removing the encroachments and Form 7 notices under the Tamil Nadu Land Encroachment Act, 1905 have been issued by the Revenue Inspector, Poonamallee to all the encroachers on 01.08.2024 and 02.08.2024. He would further state that action has been taken for removal of encroachments at S.Nos.8/1 and 8/3 at Kattupakkam Village. It submitted that Form 7 notices under Section of the Tamil Nadu Land Encroachment Act have been issued by the Revenue Inspector, Poonamallee, to all the encroachers on 25.07.2024 and inquiry was conducted on 27.08.2024 and 28.08.2024 and action has been taken to evict them.

4. Insofar as S.Nos.2, 6/1, 8/1, 8/5, 16 and 17 at Puliyambedu Noombal Village, Tiruvallur District, learned Government Advocate submitted that Deputy Surveyor has been deputed to carryout the



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survey and make demarcation of encroachments. Learned Government Advocate submitted that necessary action would be taken by the respondent authorities.

5. Recording the said statement of learned Government Advocate, the writ petition is disposed of by directing the fourth respondent to take follow-up action and pass final orders to remove the encroachments, after affording an opportunity of hearing to the affected parties, within a period of 12 weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(D.K.K., ACJ.) (P.B.B., J.)
29.08.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

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