



WEB COPY

WA No. 3213 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

WA No. 3213 of 2024

1. G.Jayachandra Naidu

Appellant(s)

Vs

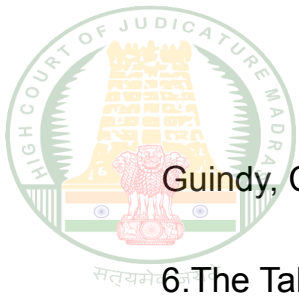
1. The Principal Secretary and
Commissioner of Land Administration (FAC)
Ezhilagam, Chepauk,
Chennai- 600 005.

2.The District Collector
Singaravelar Maligai, Chennai- 600 001.

3.The District Collector
Kanchipuram District, Kanchipuram.

4.The District Revenue Officer
Singaravelar Maligai, Chennai- 600 001.

5.The Revenue Divisional Officer
South Chennai Division,



Guindy, Chennai-32.

6.The Tahsildar

Sholinganallur, Chennai- 600 119.

7.The Village Administrative Officer

Chennai- 600 100.

8.The Forest Officer

Pallikaranai , Chennai- 600 100.

Respondent(s)

PRAYER

To set aside the order in WP.No.27959 of 2022, dated 19.10.2022 of this Court and thereby allow the Writ Appeal.

For Appellant(s): Mr.Nagendra Prasath

For Respondent(s): Mr.R.Ramanlaal
Additional Advocate General Asst By
Mr. D.Ravichander
Special Government Pleader For R1 To R8.

ORDER

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

The present intra-court appeal has been instituted to challenge the writ order dated 19.10.2022 passed in WP No. 27959 of 2022.

2. The writ petitioner is the appellant before this Court. The Writ Petition



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was instituted seeking a direction to the District Collector to dispose of the petitioner's representations dated 05.01.2021 and 17.02.2021 and issue settlement patta to the petitioner in respect of the property in Survey Nos.657/1A to an extent of 90.70 Hectares, situated at No.231, New No.42, Pallikaranai Village, Sholinganallur Taluk, Chennai District.

3. The learned Additional Advocate General appearing on behalf of the State would contend that the subject property is classified as Kazhuveli "Back Water". The land, measuring 222.30 acres, is a marshland preserved to maintain the environment and ecology. No encroachments are permitted in that area, and the Government is in possession of the entire property. Encroachers are evicted then and there, and the entire extent of the property is under the control of the authority.

4. Perusal of the cause title shows that Mrs. K. Baby is the General Power of Attorney holder of Mr. G. Jayachandra Naidu/appellant. G. Jayachandra Naidu resides in Andhra Pradesh, and Mrs. K. Baby resides at Perumbakkam, Chennai. The property in question is valuable Government



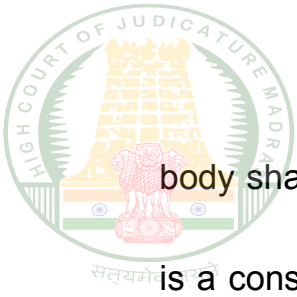
land classified as Backwater.

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5. The learned counsel for the appellant would submit that the kist has been paid.

6. The aforesaid contention is unacceptable. Mere payment of property tax or kist would not confer any property right. Moreover, the authorities are bound to protect the water body and Government lands. In the event of encroachment, encroachers are to be removed by following the procedures. The appellant has not established even a semblance of legal right. Thus, the Writ Court is right in dismissing the writ petition. However, this Court finds that the very claim set out by the appellant is vexatious.

7. The authorities are directed to conduct an inspection of the entire extent of the subject land and, if any encroachment is identified, such encroachers are to be evicted by following the procedures as contemplated under relevant statutes and rules in force. This exercise shall be completed within eight weeks from the date of receipt of a copy of this order. The water



body shall be maintained as a water body in public interest. Preserving water

is a constitutional mandate; failure on the part of the authority would result in

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initiation of prosecution, and the officials accountable must be subjected to

departmental proceedings.

8. Consequently, the writ appeal is dismissed with the costs of Rs.2,00,000/- (Rupees Two Lakhs Only) to be paid in favour of the District Collector, Chennai District. The connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)

07-10-2025

gd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1. The Principal Secretary and
Ezhilagam, Chepauk, Chennai- 600

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