



W.P.No.2027 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**  
and  
THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

**W.P.No.2027 of 2025**  
**and**  
**W.M.P. Nos.2361, 2362 and 2363 of 2025**  
**in W.P.No.2027 of 2025**

D.Sukhi Bai

... Petitioner

Vs.

1.The District Collector,  
Tiruvannamalai – Kanchipuram Rd.,  
Thaiyar Kullam, Kanchipuram,  
Tamil Nadu 631 501.

2.The Revenue Inspector,  
Kolappakkam Circle,  
Kundrathur, Kanchipuram District.

3.The Tahsildar,  
Mehta Nagar Main Road,  
Kundrathur, Chennai,  
Tamil Nadu – 600 069.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India  
praying to issue a Writ of Certiorarified Mandamus calling for the  
records of the 1<sup>st</sup> respondent with respect to the impugned order dated  
20.12.2024 in Se.Mu.Na.Ka.NO:COLKPM/3523/2024/Aa3 issued by the

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1<sup>st</sup> respondent under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 and consequently, quash the same as illegal, invalid, arbitrary and non-est in the eyes of law and consequently, forbear the respondents from evicting the petitioner from the property admeasuring 1600 square feet situated at Plot No.7A Mettu Street, Rajarajan Nagar Main Road, Moulivakkam, Chennai – 600 125 and comprised in Survey No. 18/10.

For Petitioner : Mr.Nithyaesh Natraj  
for Mr.Anirudh A Sriram

For Respondents : Mr.T.K.Saravanan  
Government Advocate

**ORDER**

[Order of the Court was made by **M.SUNDAR, J.,**]

After some arguments, Mr.Nithyaesh Natraj, learned counsel representing Mr.Anirudh A.Sriram, learned counsel on record for writ petitioner sought leave of this Court to withdraw the captioned main 'Writ Petition' (hereinafter 'WP' for the sake of brevity) but made a request to resuscitate the statutory revision under Section 10-A of 'The Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of brevity} together with a stay petition thereat under Section 10-B of said 1905 Act, as according to learned counsel for writ petitioner, the revision and stay petitions



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which were filed on 26.12.2024 were erroneously withdrawn on 20.01.2025 (on erroneous understanding of the scope of Section 10-A of said 1905 Act).

2. Mr.Anirudh A.Sriram, learned counsel on record for writ petitioner has made an endorsement in the case file and a scanned reproduction of the same is as follows:

May be Permitted  
to withdraw with  
liberty to Pursue/  
restore my Revision u/s.10A of the Act  
which was withdrawn  
on 20.01.2025

Counsel for Petitioner  
Anirudh  
M/S.3614/2017  
24/1/2025



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3. Considering the request for resuscitating of the statutory revision and the stay petition thereat, we deem it appropriate to issue notice to the respondents before acceding to the request.

4. Issue notice to respondents.

5. Mr.T.K.Saravanan, learned Government Advocate accepts notice for all three respondents. Learned State counsel has no objection for resuscitating the revision and stay petition.

6. Mr.T.K.Saravanan, learned State counsel submits on instructions that there is a batch of statutory revision petitions pertaining to other similarly placed persons. Learned State counsel submits that enquiry was held on 22.01.2025 and it was preliminary in nature and that further enquiry will be held on another date for which the notice setting out the date, time and venue would be issued to the writ petitioner and other similarly placed revision petitioners. A scanned reproduction of the communication in this regard placed before us by the learned State counsel is as follows:



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Revenue and Disaster  
Management Department,  
LD Wing, LD 6(2) Section,  
Secretariat, Chennai-600009

**Letter No.9280608/LD6(2)/2024-4, Dated 21-01-2025**

**From**  
Tmt. P. Annugha, I.A.S.,  
Additional Chief Secretary to Government

**To**  
Thiru.Anandraj,  
S/o Thiru.Subramanian,  
No.1/466, Mankadu Main Road,  
Moulivakkam Village,  
Chennai-116.

Thiru.V.A. Balu,  
S/o. V. Annugam,  
Prop. Annamalai Medicals,  
No.2/92, Kungathur Main Road,  
Moulivakkam, Chennai.

Thiru.Delvalgamani,  
Tmt. Vasantha,  
No.2/6, Bhajanaikoil Street,  
Moulivakkam, Chennai.

Thiru.B. Chandran,  
S/o. Balakrishnan,  
No.3/319, 7<sup>th</sup> Cross street,  
Gerugambakkam, Chennai.

Thiru.D.Gobi,  
S/o. Durai,  
No.4/1313, Pillayarkoil Street,  
Chinnakulathuvancherry, Chennai.

Thiru.R. Balakrishnan,  
S/o. Ramaguptha,  
Ranga Nagar, Moulivakkam,  
Chennai.



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Thiru.R.Mitalal,  
No.2/10, Kundrathur Road,  
Moulivakkam,  
Chennai-125.

Thiru.G.Ahmed,  
S/o. Abulkapoor,  
No.5/84, Moulivakkam Road,  
Moulivakkam, Chennai.

Thiru.Badmanaban,  
S/o. Dharmalingam,  
No.20, Indira Gandhi Street,  
Avai Nagar,  
Choolaimedu,  
Chennai-94.

Thiru.Munusamy,  
S/o Muniyan,  
No.50, Kundrathur Road,  
Moulivakkam,  
Chennai-125.

Thiru.M.Sathyaseelan,  
S/o E.Mani,  
No.5/15, Kundrathur Road,  
Moulivakkam,  
Chennai-125.

Tmt.Vijayalakshmi,  
W/o: Siva,  
No.60, Kundrathur Road,  
Moulivakkam,  
Chennai-125.

Thiru.S.Elumalai,  
S/o. Subramani,  
No.1/245, Kundrathur Road,  
Moulivakkam,  
Chennai-125.

Thiru.S.Munagan,  
S/o.Subramani,  
No.1/245, Kundrathur Road,  
Moulivakkam,  
Chennai-125.



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Mrs. Savitha Agarwal,  
W/o. Kapoor Chand,  
No.166, Roaj Street,  
Ambali Nagar,  
Porur,  
Chennai 116.

(Served through the District Collector, Kancheepuram)

Sir/Madam,

**Sub:** Land – Encroachment – Kancheepuram District –  
Kundrathur Taluk - Moulivakkam village – Revision petition  
filed by Thiru. V.A.Balu and others – Personal hearing on  
22.01.2025 at 2.30 P.M. - Intimation - Regarding.

**Ref:** 1. Kancheepuram District Collector's Proceedings  
Qn. p. p. x CDLKPM/3523/ 2024/3, dated  
20.12.2024.  
2. Revision petition filed by Thiru. V.A.Balu and others,  
dated 26.12.2024 and 30.12.2024.  
3. Government letter No.9280608/ LD6(2)/2024, dated  
11.1.2025.

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In continuation of the reference third cited, I am directed to inform that the  
personal hearing scheduled to be held on 20.01.2025 has been postponed to  
22.01.2025 at 5.30 P.M., due to administrative reasons.

2. I am, therefore, directed to request you to appear before the Additional  
Chief Secretary to Government, Revenue and Disaster Management Department  
on 22.01.2025 at 5.30 P.M. in her Chamber, 2<sup>nd</sup> Floor, Old Building, Secretariat,  
Chennai – 9 for personal enquiry in connection with the Revision Petitions filed  
before the Revisional Authority and also inform that the Revision petitioners should  
attend this personal hearing in person and to present all original documents for  
verification, failing which Government will come to a conclusion based on the  
available records.

Yours faithfully,

Signed by

K Sankar

Date: 21-01-2025 13:10:22

for Additional Chief Secretary to Government



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7. In the light of the narrative thus far, captioned WP and the captioned WMPs thereat are disposed of as closed/withdrawn albeit with resuscitation of statutory revision with stay petition and preservation of rights in the aforesaid manner. There shall be no order as to costs.

8. Though obvious, we make it clear that captioned main WP is disposed of as withdrawn and as it is not disposed of on merits, the resuscitation request of the writ petitioner is acceded to on not being objected to by learned State counsel would mean that the statutory revision would be tested on its own merits and in accordance with law untrammelled by this withdrawal.

**(M.S.,J.)** **(K.R.S.,J.)**  
24.01.2025

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

1.The District Collector,  
Tiruvannamalai – Kanchipuram Rd.,  
Thaiyar Kullam, Kanchipuram,  
Tamil Nadu 631 501.

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2.The Revenue Inspector,  
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Kundrathur, Kanchipuram District.

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**M.SUNDAR, J.,  
and  
K.RAJASEKAR, J.,**

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**24.01.2025**