



W.P.No.7977 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

WEB COPY

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.7977 of 2025
and W.M.P.Nos.8964 & 8966 of 2025

1.L.Geetha

2.U.Rajeswari

... Petitioners

Vs.

1.The Executive Officer,
Peerankaranai Town Panchayat,
Kalaingar Salai,
Srinivasa Nagar,
Kanchipuram District.

2.The Tahsildar,
Taluk Office, Chitlapakkam,
West Tambaram, Tambaram,
Chennai – 600 063.

3.The Inspector of Police,
S14, Peerankaranai Police Station,
24, Kamaraj Nagar,
New Perungalathur,
Chennai – 600 063.

4.K.Ameerkhan

5.Mustafa Kamal

6.Shafiullah Baig

Page No.1 of 7



W.P.No.7977 of 2025

7.Kithir Mytheen

... Respondents

WEB COPY

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the first respondent not to lay sewer ways in Survey No.1/2A, 1/2D and 1/3A in Peerkankaranai Village, Tambaram Taluk.

For Petitioners

: M/s.Rohini Ravikumar

For Respondent 2

: Mr.N.Naveen Kumar,
Government Advocate

For Respondent 3

: Mr.R.Kishore Kumar,
Government Advocate (Crl.side)

ORDER

The petitioner has filed this petition seeking to direct the first respondent not to lay sewer ways in Survey No.1/2A, 1/2D and 1/3A in Peerkankaranai Village, Tambaram Taluk.

2. Since no adverse order is being passed, this writ petition is taken up for final hearing.

3. The case of the petitioners are that the property comprised in Survey

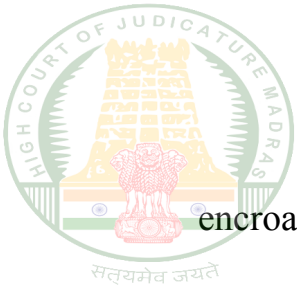


W.P.No.7977 of 2025

No.1/2A, 1/2D and 1/3A1 in Peerkankaranai Village, Tambaram Taluk,

Chengalpattu District was originally belonged to their mother. This being the case, petitioner's mother died interstate on 25.04.1986 and thereafter, the petitioners became co-owners of the said property and obtained Patta No.1006 for the same. Subsequently, the property was subdivided into five plots and divided between the petitioners through a partition deed registered as Doc.No.1332/2013 on the file of Sub Registrar Office, Tambaram. On 13.03.2013, the first petitioner executed settlement deeds in favour of her two sons viz., Mr.L.Janardhan and Mr.L.Dhinakaran and the same were registered as Doc.No.1422/2013 and 1423/2013 respectively. Similarly, the second petitioner also executed settlement deed registered as Doc.No.1424/2013 in favour of her son Mr.U.Logeswaran and the petitioners decided to jointly own Plot No.5 admeasuring 2131 sq.ft.

3.1. It came to the knowledge of the petitioners that respondents 4 to 7 have encroached the land falling in Plot No.5, which led the petitioners to file O.S.No.92 of 2014 before the Sub-ordinate Judge, Tambaram and sought for a decree of declaration and also decree of injunction to remove the



WEB COPY

encroachment, however the same was dismissed on 22.02.2019 for non-prosecution. In the year 2017, the first respondent wanted to lay road in Plot No.5 and immediately, the petitioners approached the District Munsif at Tambaram in O.S.No.139 of 2017 and sought for injunction against the first respondent from laying road. But, the same was dismissed on 04.03.2022. During October 2024, the first respondent visited the property to dig sewer way. When the petitioners obstructed it, the first respondent requested the Surveyor attached to the second respondent to survey the property and file a report. When the surveyor visited to survey the property, respondents 4 to 7 along with their family members obstructed the process of survey and also pressurizing the first respondent to continue sewer laying work. Hence, the petitioner has come forward with the present writ petition.

4. Learned counsel for the petitioner would submit that the Commissioner, Tambaram Municipality vide communication in Na.Ka.No.3827/2024/F1-M4, dated 05.11.2024 directed the Tahsildar, Tambaram to survey the petitioners land, but the survey was not taken and the same was objected by the respondents 4 to 7, who are the encroachers of



W.P.No.7977 of 2025

the aforesaid land.

WEB COPY

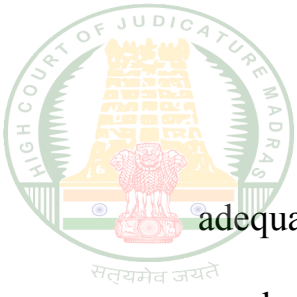
5. Learned Government Advocate appearing for the second respondent would submit that pursuant to the communication of the Commissioner, Tambaram Municipality dated 05.11.2024, Surveyor went to survey the land, but the same was objected by the respondents 4 to 7.

6. Heard the learned counsel on either side and perused the materials available on record.

7. In view of the submission made by the learned counsel for the petitioner as well as the learned Government Advocate appearing for the second respondent, this Court issues the following direction:

(i) The second respondent is directed to carryout the inspection/survey in the aforesaid land along with the third respondent, after giving due notice to the petitioner as well as respondents 4 to 7, within a period of eight weeks from the date of receipt of a copy of this order.

(ii) The third respondent/Inspector of Police is directed to provide



W.P.No.7977 of 2025

adequate protection to the second respondent/Tahsildar and his staffs for conducting inspection/survey in the petitioners land.

WEB COPY

8. This writ petition is disposed of with the above observation and directions. No costs. Consequently, connected miscellaneous petitions are closed.

07.03.2025

vm

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

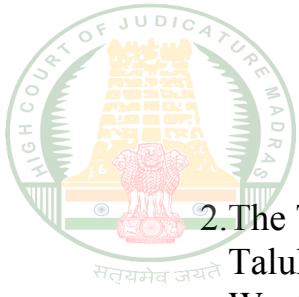
J.SATHYA NARAYANA PRASAD,J.

vm

To:

1.The Executive Officer,
Peerkankaranai Town Panchayat,
Kalaingar Salai,
Srinivasa Nagar,
Kanchipuram District.

Page No.6 of 7



W.P.No.7977 of 2025

2.The Tahsildar,
Taluk Office, Chitlapakkam,
West Tambaram, Tambaram,
Chennai – 600 063.

W.P.No.7977 of 2025

3.The Inspector of Police,
S14, Peerkankaranai Police Station,
24, Kamaraj Nagar,
New Perungalathur,
Chennai – 600 063.

07.03.2025