



WEB COPY



W.P. No.7245 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

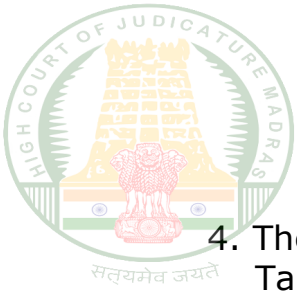
WP No.7245 of 2025
and WMP No.8060 of 2025

S.Prabhakaran
S/o.B.Sundarababu,
First Main Road,
Old Perungalathur,
Chennai – 600 063.

Petitioner(s)

Vs

1. The District Collector
The District Collector Office,
GST Road, Venbakkam,
Chengalpattu-603 111.
2. The Revenue Divisional Officer
District Revenue Office,
Tambaram, Chennai-600 045.
3. The District Revenue Officer
District Monitoring Committee,
MX58+JHW, District Revenue Office,
Chengalpattu-603 111.



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4. The Commissioner
Tambaram Corporation,
No.28, Muthuranga Muthali Road,
Tambaram (West), Chennai-600 045.
5. The Thasildar
Tambaram, Chennai-600 045.
6. The Village Administrative Officer
New Perungalathur,
Chennai-600 063.
7. K.R.Sekar
No.78, Kamarajan High Road,
Old Perungalathur,
Chennai – 600 063.
8. VRS Constructions
25/9, Krishna Road,
New Perungalathur,
Chennai – 600 063.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 6 to consider the representation of the petitioner dated 19.10.2024 for removal of encroachment and demolition of illegal construction being made by respondents 7 and 8 in Old Survey Number 39/2A1 as per Patta New Survey Number 39/2A1B, to an extent of 18.25 cents, Kurinji Nagar 4th Main Road, Perungalathur Village, Padappai Sub-registration, Tambaram Taluk, Chengalpattu District.



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For Petitioner(s): Mr.M.S.Niranjhan
For Mr.P.Nithyan

For Respondent(s): Mr.A.Edwin Prabakar
State Government Pleader
Assisted by Mr.M.Habeeb Rahman
Government Advocate
for R1 to R3, R5 and R6

Mr.B.R.Sankaranarayanan,
for R8

No appearance for R4 and R7

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.Niranjhan, learned counsel for the petitioner;
Mr.A.Edwin Prabakar, learned State Government Pleader for
respondent Nos.1 to 3, 5 and 6; and Mr.B.R.Sankaranarayanan,
learned counsel for respondent No.8. There is no representation on
behalf of respondent Nos.4 and 7.

2. The petitioner, through this petition, seeks to ventilate a
grievance that respondent Nos.7 and 8 have raised construction by
encroaching upon public road.



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3. Though no reply has been filed by respondent Nos.1 to 7, a reply has been filed by respondent No.8.

4. Learned counsel appearing for respondent No.8, referring to his reply, would submit that the allegations made in the writ petition are factually incorrect. He would submit that construction has been made strictly in accordance with the building permission and they have not encroached upon public road.

5. Whether or not while raising construction respondent Nos.7 and 8 have encroached upon public road is a matter of spot inspection and measurement. This is required to be done by the revenue authorities concerned.

6. We are of the view that this writ petition, at this stage, can be disposed of with a direction to respondent No.5 to carry out necessary spot inspection and measurement of the land, which is the subject-matter of this petition, in the presence of respondent Nos.7 and 8 on the date to be fixed by notice. Upon spot inspection and measurement, appropriate decision may be taken by respondent No.4.



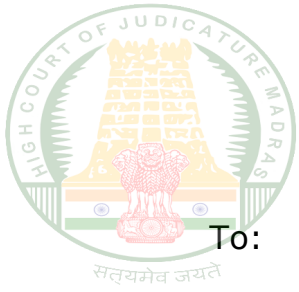
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In case it is found that any construction has been made on public road,
action will be taken by respondent No.4 in accordance with law.

Writ petition is disposed of accordingly. There shall be no order
as to costs. Consequently, interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (MUMMINENI SUDHEER KUMAR ,J)
29.07.2025

Index : Yes/No
Neutral Citation : Yes/No
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