



WEB COPY

WA No. 679 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 12-03-2025**

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM**

**AND**

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**WA No. 679 of 2025**

**and**

**CMP.No.5620 of 2025**

P.Devaki

Appellant(s)

Vs

1. The District Collector  
Chengalpattu District, Chengalpattu.

2.Thasildar,  
Thirukalukundram, Chengalpattu  
District.

3.Block Development Officer,  
Thirukalukundram Panchayat,  
Thirukalukundram Union,  
Chengalpattu District.

4.The President  
Vallipuram Panchayat  
Thirukalukundram Taluk,  
Chengalpattu District.



5. The Village Administrative Officer,  
Vallipuram Village, Thirukalukundram  
Taluk, Chengalpattu District.

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Respondent(s)

**PRAYER** Writ Appeal filed under Clause 15 of the Letters Patent Act, to allow this Writ Appeal and set aside the order passed in WP No.13735 of 2024 dated 19.08.2024.

For Appellant(s): Mr. Charles Kamalesh M. Appaji

For Respondent(s): Mr. Vadivelu Deenadayalan  
Additional Government Pleader  
for R1 to R5

### **JUDGMENT**

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

The relief to establish civil rights relating to property is not entertainable by way of a writ proceedings under Article 226 of Constitution of India.

2. Such civil rights are to be established with reference to the documents and evidences available on record and by conducting a trial nature proceedings. High Court in exercise of the powers of the Judicial review cannot conduct a roving enquiry to affirm the civil rights relating to property. This exactly is the reason why the High Courts are expected to be slow in entertaining such writ proceedings filed seeking relief relating to property



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rights. Instead of filing a civil suit, the practice of filing writ petition is in ascending mode, which cannot be encouraged by the High Courts. If at all the appellant states that it is a Government land, which is assigned, then the documents are to be verified by the competent Authorities. If any encroachment of Government land is identified, then all such encroachments are liable to be evicted by following due procedures as contemplated under law. The nature of relief sought for in the writ petition before the writ court is not entertainable and thus, the learned single Judge has rightly dismissed the writ petition, which is in consonance with the legal principles established.

Accordingly, the Writ Appeal stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

**(S.M.SUBRAMANIAM J.) (K.RAJASEKAR J.)**

**12-03-2025**

Veda

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

<https://www.mhc.tn.gov.in/judis>

Neutral Citation: Yes/No



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**S.M.SUBRAMANIAM J.**  
**AND**  
**K.RAJASEKAR J.**  
veda

**WA No. 679 of 2025**

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