



W.P.No.9568 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:25.03.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9568 of 2025

and

W.M.P.Nos.10726, 10729 and 10732 of 2025

J.D.Kavichandhran,
S/o Veeraraghavan Thandukoan,
2/17, Koil Street, Velanjeri Colony,
Pattabiramapuram,
Tiruvallur District 631 209.

.. Petitioner

/versus/

1.The Government of Tamil Nadu,
Represented by its Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St.George, Chennai 600 009.

2.The Executive Engineer,
Tamil Nadu Adi Dravidar Housing and Development
Corporation(TAHDCO), Chennai Region,
Plot No.1, 12th Cross Street,
Purasaivakkam, Chennai 600 084.

3.The District Adi Dravidar and Welfare Officer,
Adi Dravidar and Welfare Office,
Collectorate Building, Tiruvallur 602 001.

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4.The Tahsildar,
Tiruttani Taluk Office,
Pattabiramapuram Lake, Erular Colony,
Thiruttani, Tamil Nadu 631 209.

5.The Special Tahsildar,
Adi Dravidar Welfare Department,
Thiruttani, Tamil Nadu 631 209.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned communication issued by the 2nd respondent vide Letter No.230/2024/Va.Pi dated 09.11.2024 and the subsequent communication issued by the 3rd respondent vide Na.Ka.No.J8/26781/2017, dated 15.11.2024 and quash the same and consequently direct the respondents to not to evict the petitioner herein from his lawful possession in S.No.143/1, Ponpadi Village, Tiruttani Taluk, Tiruvallur District without following the due process of law.

For Petitioner :Mr.R.Prathapkumar

For Respondents :Mr.V.Manoharan, AGP for
RR1, 3,4 and 5



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ORDER

The writ petition is filed challenging the impugned order dated 09.11.2024. By the said impugned order, it is mentioned that with reference to the construction of the Knowledge Centre at Ponpadi Village, Thiruvallur District, already contractor has been appointed. Further, the impugned order states that only after the site is entrusted to the contractor, the contractor can start work. The petitioner states that the petitioner is in occupation of the portion of the land. Even if he is an encroacher without even removing him in the manner known to law, the respondents have conducted Bhoomi Pooja and are illegally trying to interfere with the possession and enjoyment of the petitioner.

2. I have considered the said arguments made by the learned counsel appearing for the petitioner.

3. It can be seen that though the tender have been called for and the contractor has been finalised, the impugned order itself states that only after the entrustment of the site, the work can commence. Therefore, the

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petitioner need not be aggrieved by the impugned order. The only contention of the petitioner is that the petitioner is in occupation of the premises and if the respondents need the premises for some public purpose, they have to resort to the due process of law. Therefore, without evicting the petitioner, as per the process of law, his possession cannot be disturbed.

4. When the matter came up for admission, the learned Additional Government Pleader appearing for the respondents, 1,3,4, and 5 submits that *prima facie* the petitioner has not provided any document to show that he is in possession of the land. Even otherwise the impugned order says that the site will be duly handed over to the contractor. Before handing over the site to the contractor, if the petitioner or any other encroacher is really to be found in occupation of the property, the same will be removed as per due process of law.

5. Recording the above submissions made, this writ Petition stands



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disposed of. Consequently, connected Miscellaneous Petitions are closed

No costs.

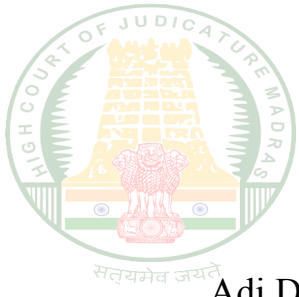
25.03.2025

Neutral citation: no
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To

- 1.The Secretary to Government,
The Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort St.George, Chennai 600 009.
- 2.The Executive Engineer,
Tamil Nadu Adi Dravidar Housing and Development
Corporation(TAHDCO), Chennai Region,
Plot No.1, 12th Cross Street,
Purasaivakkam, Chennai 600 084.
- 3.The District Adi Dravidar and Welfare Officer,
Adi Dravidar and Welfare Office,
Collectorate Building, Tiruvallur 602 001.
- 4.The Tahsildar,
Tiruttani Taluk Office,
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- 5.The Special Tahsildar,

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