



W.P. No.14712 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P.No.14712 of 2025

N.Sundara Rajan
Rep. by Power of Attorney
AR.Jayaganesh

Petitioner

VS.

1. The Commissioner
Tambaram City Municipality Corporation
West Tambaram, Chennai 600 045
2. The Tahsildar
Tambaram Tahsildar Office
Chengalpattu District
3. The Inspector of Police
Selaiyur Police Station
Selaiyur, Chennai 600 073
4. Philomonaseeli
5. Anand Raj
6. Jeya Deepan
7. Jone @ Anbuselvi
8. Queen

Respondents

Writ Petition filed under Article 226 of the Constitution of India
seeking a writ of mandamus directing the respondents 1 and 2 to



W.P. No.14712 of 2025

remove the encroachment on 20 foot wide road west of the petitioner's property situated in old survey No.289/1B2 and new survey No.289/1A1B in plot no. 18 measuring an extent of 2,720 sq.ft. in Town Survey Field Nos.32 & 42, Ward I, Block 27 with the aid of the 3rd respondent.

For petitioner	Mr. R. Gokulakrishnan
For RR 1 & 2	Mr. T.K. Saravanan Addl. Govt. Pleader
For R3	Mr. A. Gokulakrishnan Addl. Public Prosecutor

ORDER

[made by M. SUNDAR, J.]

This order will now dispose of the captioned 'writ petition' ['WP' for the sake of brevity].

2. Mr. R. Gokulakrishnan, learned counsel on record for writ petitioner, is before us.

3. Adverting to a representation dated 01.04.2025 (date wrongly stated in the representation as 01.03.2025) addressed by the writ petitioner to R2 (Tahsildar), learned counsel for writ petitioner submitted that there is alleged encroachment on '20 foot wide road



W.P. No.14712 of 2025

which is on the west side of the writ petitioner's property situate in old Survey No.289/1B2 and new Survey No.289/1A1B in plot no. 18 measuring an extent of 2,720 sq.ft. in Town Survey Field Nos.32 & 42, Ward I, Block 27, Srinivasa Nagar, Selayur, Tambaram Taluk, Chengalpattu District' [hereinafter 'said land' for the sake of convenience and clarity] by RR 4 to 8 before us. To be noted, RR 4 to 8 are private respondents.

4. Considering the obtaining position, we are of the view that the captioned WP can be disposed of by ordering notice to official respondents (RR 1 - 3) and putting in a safety valve / adequate protection *qua* alleged encroachers *i.e.*, RR 4 to 8.

5. Issue notice to official respondents, *i.e.*, RR 1 to 3.

6. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for RR 1 and 2 and Mr. A. Gokulakrishnan, learned Additional Public Prosecutor, accepts notice for R3.



W.P. No.14712 of 2025

WEB COPY

7. In the light of what has been alluded to *supra* and considering the limited scope of the captioned WP, with the consent of both sides, captioned WP was taken up.

8. It was submitted by learned Additional Government Pleader that G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 has been put in place, wherein and whereby Divisional Monitoring Committee, District Monitoring Committee and State Steering Committee have been constituted *inter alia* for a single point reporting / monitoring system *qua* Government lands.

9. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by the Revenue Divisional Officer, Tambaram *qua* G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022.



W.P. No.14712 of 2025

10. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land. The Divisional Monitoring Committee shall also ensure that adequate and ample opportunity is given to persons concerned, more particularly alleged encroachers (RR 4 to 8) before taking a call. In this regard, we are acutely conscious that the matter is being disposed of in Admission Board without notice to alleged encroachers and therefore, this safety valve is put in place. To be noted, all the rights and contentions of alleged encroachers are preserved for being raised before the Committee concerned which shall consider the same on their own merits and in accordance with law untrammelled by this proceedings in this Court.

11. The Divisional Monitoring Committee *qua* G.O. (Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022, shall (if it comes to the conclusion that there is encroachment) report the encroachment for further action (for removal of encroachment which again shall be after giving adequate and ample opportunity to alleged encroachers). The entire exercise shall be completed within a period of 12 weeks from today *i.e.*, by 17.07.2025.



W.P. No.14712 of 2025

12. It is open to the writ petitioner and or anyone concerned with this matter to come to this Court on the same issue even with a similar / same prayer if there is any change of circumstances.

13. We make it clear that we have not expressed any view or opinion as to whether there is encroachment or not *qua* said land as it turns on facts and it is for the Divisional Monitoring Committee to take a call on this aspect of the matter. We also make it clear that this exercise will not apply to patta land and it will apply only to public land, if there is any encroachment in public land.

14. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. There shall be no order as to costs.

(M.S., J.) (K.G.T., J.)
24.04.2025

cad
Index : Yes/No
NC : Yes/No



W.P. No.14712 of 2025

WEB COPY

To:

1. The Commissioner
Tambaram City Municipality Corporation
West Tambaram
Chennai 600 045
2. The Tahsildar
Tambaram Tahsildar Office
Chengalpattu District
3. The Inspector of Police
Selaiyur Police Station
Selaiyur
Chennai 600 073
4. The Revenue Divisional Officer
Tambaram
Chennai



WEB COPY



W.P. No.14712 of 2025

M.SUNDAR, J.

and

K. GOVINDARAJAN THILAKAVADI, J.

cad

W.P. No.14712 of 2025

24.04.2025

Page Nos.8/8