



WEB COPY

WP.No.15030 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2025

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THE HONOURABLE MRS JUSTICE N. MALA

WP.No.15030 of 2025

and

WMP.Nos.16936 & 16937 of 2025

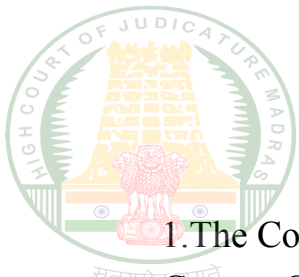
1.Vijaykrishna Dumbachari Sreenivas,
S/o.Late Govindasamy Sreenivas,
6143, Field Street, Arvada,
Colorado, USA – 80004.

2.Drithi Dumbachari Sreenivas,
D/o.Late Govindasamy Sreenivas, No.17
California Drive Ttotara Park, Upperhut – 5018,
New Zealand.

1st and 2nd petitioners are represented by
their Power Agent, S.Mudhita Dumbachari,
D/o.Late Govindasamy Sreenivas,
2A, Ramaniyum Anatha Kuteer II Seaward Road,
Valmiki Nagar, Thiruvanmiyur,
Chennai 600041.

3.S.Mudhita Dumbachari,
D/o.Late Govindasamy Sreenivas,
2A Ramaniyum Anatha Kuteer II Seaward Road,
Valmiki Nagar, Thiruvanmiyur, Chennai 600041.

Petitioner(s)



Vs

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai 600003.

2.The Zonal Officer,
Zone 8, Division – 108,
Door No.36B, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar,
Chennai 600030.

3.The Tahsildar,
Egmore-Nungambakkam Taluk,
Spur Tank Road,
Chetpet, Chennai 600031.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, forbearing the respondents 1 and 2 and their employees from interfering with the petitioners properties bearing S.Nos.393 and 394/2 totally having an extent of 10,321 sq.ft., situated at Jagannathapuram, Egmore-Nungambakkam Taluk except due process of law and pass such further orders.

For Petitioners: Mr.P.Krishnan

For Respondents: M/s.K.Aswini Devi,
Standing Counsel
for R1 & R2

Mrs.R.L.Karthika,
Government Advocate for R3



ORDER

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This writ petition has been filed for issuance of a Writ of Mandamus, forbearing respondents 1 and 2 and their employees from interfering with the petitioners' properties bearing S.Nos.393 and 394/2, totally having an extent of 10,321 sq.ft., situated at Jagannathapuram, Egmore-Nungambakkam Taluk.

2. The petitioners claim title to properties in Survey Nos.393 and 394/2 situated at Jagannathapuram, Chetpet, Chennai, through their grandfather Govindasamy Naidu, the adopted son of Late M.A. Namberumal Naidu. Namberumal Naidu executed a registered Will in 1954 and a Settlement Deed in 1966 bequeathing these properties to Govindasamy Naidu. After his death in 1971, his legal heirs sold portions of the property via registered deeds, and pattas were mutated in the names of third parties. However, the remaining extent of 7485 sq.ft in S.No.394/2 is still retained by the petitioners. The patta, however, continues to stand in the name of the deceased Namberumal Naidu. The petitioners allege wrongful mutation of part of the property in third parties' names without proper title or enquiry. Attempts to correct the revenue records



and survey the land through representations to the respondents have not been acted upon. Meanwhile, the Corporation is claiming the land and has begun construction activities, allegedly trespassing onto the petitioners' property.

3. Learned counsel appearing for the petitioners contends that they are the lawful owners of the properties in S.Nos.393 and 394/2 through inheritance and based on the registered Will and Settlement Deed executed by Namberumal Naidu. He alleges that the revenue authorities have acted arbitrarily by rejecting their mutation applications without conducting proper enquiry and mutating portions of the land to third parties without valid title. Further, the Corporation has wrongly claimed ownership and is carrying out construction despite the petitioners' objections. He further submits that the petitioners sent representations to the first and third respondents on 11.03.2025 and 10.04.2025 respectively, and the same were not considered by them till date. Thus, the petitioners seek a direction to restrain the Corporation from trespassing and interfering with their property and request an interim injunction to prevent further encroachment until the Writ Petition is decided.



4. Learned Government Advocate appearing for the third respondent submits that the petitioners shall be directed to give fresh representations to the third respondent, and the same would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

5. Heard both sides and perused the materials available on record.

6. Without going into the merits of the case, this Court is inclined to pass the following directions:

a) The petitioners are directed to give fresh representations to the third respondent to conduct a survey in regard to their subject matter properties within a period of one week from the date of receipt of a copy of the said representations.

b) On receipt of such representations, the third respondent shall survey the subject matter properties after conducting a detailed enquiry by giving due notice to the petitioners, opportunity of personal hearing, taking into consideration all the relevant documents submitted by the petitioners



in regard to the subject matter properties and pass appropriate orders on merits, in accordance with law, within a period of three (3) weeks thereof.

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c) There shall be an order of interim injunction till the survey is conducted by the third respondent and appropriate orders passed by him.

7. In the result, the writ petition stands disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petitions are closed.

19.08.2025

dpq/cda

Index : Yes /No

Speaking Order : Yes/No



To

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