



W.P.No.17651/2025 etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR

and

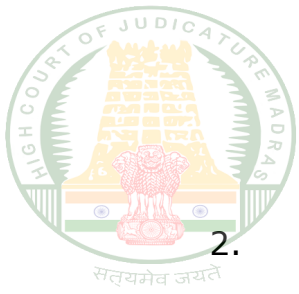
THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.Nos.17651, 17711, 17717, 17719, 17724, 17729, 17733,
17822, 17906, 17940, 21155, 21158, 21160, 21162, 21163,
21167, 21238 and 21331 of 2025 (18 WPs)

Kamatchi	Petitioner in WP.17651/25
R.Valarmathi	Petitioner in WP.17711/25
G.Vadivel	Petitioner in WP.17717/25
G.Pachaiammal	Petitioner in WP.17719/25
Pachaiappan	Petitioner in WP.17724/25
V.Mani	Petitioner in WP.17729/25
K.Ramesh	Petitioner in WP.17733/25
K.Muniyan	Petitioner in WP.17822/25
S.Rajendran	Petitioner in WP.17906/25
G.Ravi	Petitioner in WP.17940/25
Kirubakaran	Petitioner in WP.21155/25
M.Velayutham	Petitioner in WP.21158/25
M.Venkatesan	Petitioner in WP.21160/25
G.Loganathan	Petitioner in WP.21162/25
G.Elumalai	Petitioner in WP.21163/25
K.Chinnakulanthai	Petitioner in WP.21167/25
M.Lakshmi	Petitioner in WP.21328/25
E.Padmavathi	Petitioner in WP.21331/25

vs.

1. The Chief Engineer
Water Resources Department
Chepauk
Chennai 600 005



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2. The Assistant Engineer
Adyar Irrigation Section
St. Thomas Mount
Chennai 600 016
3. The Tahsildar
Guindy, Chennai 600 032
4. The District Collector
Singaravelar Maaligai (IV Floor)
Rajaji Salai
George Town
Chennai 600 001

Respondents in all W.Ps

(R4 *suo motu* impleaded by Court today)

W.P.No.17651 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,470 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently, direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.17711 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,200 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.



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W.P.No.17717 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,350 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.17719 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,350 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.17724 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,280 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.17729 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act



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of second respondent of demolishing the house of the petitioner constructed on the 1,200 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.17733 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,407 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.17822 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,478 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.17906 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,296 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21



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of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

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W.P.No.17940 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,093 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.21155 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,700 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.21158 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,200 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.



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W.P.No.21160 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,093 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.21162 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,350 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.21163 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,380 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.21167 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner



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constructed on the 1,275 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.21328 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,363 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

W.P.No.21331 of 2025: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the act of second respondent of demolishing the house of the petitioner constructed on the 1,357 sq.ft. of land in T.S.No.1 part, Block No.13 of Adyar Village, Chennai on 22.08.2024 is violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 1 and 2 to restore possession of the said land to the petitioner.

For petitioner Mr. M. Radhakrishnan
in all WPs

For respondents Mr.T.K.Saravanan
in all WPs Addl. Govt. Pleader

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COMMON ORDER

[made by M.SUNDAR, J.]

This common order will govern the captioned 18 'writ petitions'

[hereinafter 'WPs' for the sake of brevity].

2. When one of the captioned WPs, viz., W.P.No.17651 of 2025 was listed on 02.06.2025, the following proceedings was made:

'W.P.No.17651 of 2025

M.SUNDAR, J.,

and

HEMANT CHANDANGOUDAR, J.,

(Order of the Court was made by M.SUNDAR, J.,)

The short point urged by Mr.M.Radhakrishnan, learned counsel on record for writ petitioner is that the writ petitioner's dwelling house situate in T.S.No.1 part, Block No.13, Adyar Village, Chennai was demolished on 22.08.2024 without any notice.

2. To support his contention that the writ petitioner is an occupant, learned counsel draws our attention to proceedings dated 22.05.1985 bearing reference No.K.Dis.B1/10290/85.

3. To be noted, one of the persons mentioned in the aforesaid proceedings i.e., Mr.G.Ravi, Son of Govindasamy, after sending a representation dated 06.10.2023 seeking patta filed a writ petition in W.P.No.33512 of 2023 and the same came to be disposed of by Hon'ble single Judge on 30.11.2023 directing the respondents to dispose of 06.10.2023 representation within two months. Learned counsel for writ petitioner submits that 06.10.2023 representation is on behalf of all persons mentioned in 22.05.1985 proceedings.

4. Be that as it may, the issue is now demolition of dwelling house of the writ petitioner and the question is, as to whether the writ petitioner was put on notice.

5. Issue notice to respondents.

6. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice on behalf of all respondents and requests for a short accommodation to produce records and also a report from R1 [The chief



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Engineer, Water Resources Department, Chepauk, Chennai-600 005].

List a fortnight hence in the Admission Board i.e., Motion List but under the cause list caption 'ADJOURNED ADMISSION'.

List on 16.06.2025.

[M.S.J.,] [H.C.J.,]
02.06.2025'

3. Mr. M. Radhakrishnan, learned counsel for writ petitioners and Mr. T.K. Saravanan, learned Additional Government Pleader for respondents, submit that the aforementioned proceedings will apply to all the captioned 18 WPs. Therefore, the aforementioned proceedings shall now be read as integral part and parcel of this common order.

4. We are informed that the extent we are concerned with in T.S. No.1 part, Block No.13 of Adyar Village, Chennai, admeasures 17.50.3 hectares and that the same is now vacant [hereinafter 'said land' for the sake of convenience and clarity].

5. In the light of the order we propose to make, we deem it appropriate to implead 'the District Collector, Singaravelar Maaligai (IV Floor), Rajaji Salai, George Town, Chennai 600 001' as R4 in all the captioned 18 WPs and Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for newly impleaded R4 also.



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6. Adverting to the earlier proceedings dated 02.06.2025, learned State counsel submits that there was demolition on 22.08.2024 but that was demolition of superstructures *qua* writ petitioner in W.P.No.17940 of 2025 (G. Ravi, son of Govindasamy).

7. However, learned counsel for writ petitioners, enters upon disputation/contestation and submits that many more superstructures in the form of dwelling houses of other writ petitioners have been demolished on 22.08.2024.

8. The above being a factual controversy, considering the nature of the order we propose to make, we leave this question open for the present.

9. Adverting to the aforementioned 02.06.2025 proceedings, learned State counsel submits that authenticity/genuineness of proceedings dated 22.05.1985 bearing reference no.K.Dis.B1/10290/85 is being examined. This submission is also recorded. This again turns heavily on facts and it requires at least a quasi judicial adjudication.



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10. This Court deems it appropriate to record that learned State counsel submits that the entire action of the State was pursuant to certain orders made by Chennai Bench of National Green Tribunal.

11. In the light of the controversy surrounding the matter, we deem it appropriate to dispose of all the captioned 18 WPs by making the following order:

- i. R4 (District Collector) shall now examine the representation of writ petitioner in W.P.No.17940 of 2025 construing the same as representation made by all the writ petitioners and dispose of the same on its own merits and in accordance with law;
- ii. R4 shall examine the complaint of the writ petitioners that their dwelling houses were demolished (without notice) and return a factual finding on the same;
- iii. R4 shall also go into the authenticity / genuineness of proceedings dated 22.05.1985 bearing reference



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No.K.Dis.B1/10290/85 and return a finding on the same;

- iv. The above drill shall be commenced and concluded by R4 as expeditiously as the business of R4 would permit but in any event within 14 weeks from today, *i.e.*, on or before 22.09.2025;
- v. R4 shall give an opportunity (not necessarily personal hearing) to all concerned *qua* aforementioned drill;
- vi. The report to be drawn up by R4 *qua* aforementioned drill shall be served on each of the writ petitioners and any other person(s) concerned under due acknowledgment within seven working days from the date on which the report is drawn up;
- vii.If the report so drawn up ends up in favour of the writ petitioners, that will be curtains on the matter;



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viii.If that is not so and if the report is adverse to the writ petitioners, the same shall be kept in abeyance for a fortnight from the dates on which it is served on the writ petitioners so as to enable the writ petitioners to seek judicial review in a manner known to law;

ix. Until the aforementioned exercise is completed, including the window period of a fortnight, if that be so, said land shall remain vacant. This means that neither the State shall put up any superstructure thereon nor shall the writ petitioners enter upon the said land, much less put up any superstructure thereon.

12. Captioned WPs stand disposed of in the aforesaid manner.

There shall be no order as to costs.

cad

(M.S., J.) (H.C., J.)
16.06.2025



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W.P.No.17651/2025 etc. batch

M.SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

cad

To

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Water Resources Department
Chepauk
Chennai 600 005
2. The Assistant Engineer
Adyar Irrigation Section
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(18 WPs)

16.06.2025

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