



W.P.No.15058 of 2025 etc.,

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

**W.P.Nos.15058, 15103, 15108, 15112 and 15114 of 2025
and**

W.M.P. No.17013 of 2025 in W.P.No.15058 of 2025

W.M.P. No.17022 of 2025 in W.P.No.15103 of 2025

W.M.P. No.17024 of 2025 in W.P.No.15108 of 2025

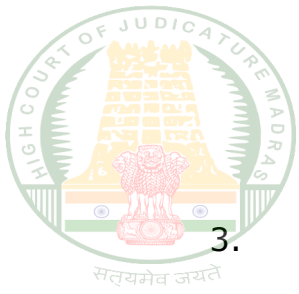
W.M.P. No.17026 of 2025 in W.P.No.15112 of 2025

W.M.P. No.17027 of 2025 in W.P.No.15114 of 2025

N.Sadhasivam	Petitioner in W.P.No.15058 of 2025
S.Selvi	Petitioner in W.P.No.15103 of 2025
M.Anbumani	Petitioner in W.P.No.15108 of 2025
R.Gowthaman	Petitioner in W.P.No.15112 of 2025
R.Baskar	Petitioner in W.P.No.15114 of 2025

VS.

1. The District Collector
Cuddalore District
2. The Sub-Collector/Revenue Divisional Officer
Chidambaram
Cuddalore District



W.P.No.15058 of 2025 etc.,

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3. The Tahsildar
Chidambaram
Cuddalore District

4. The Assistant Engineer
Water Resources Department
Khansahib Canal Section
Chidambaram
Cuddalore District

Respondents in all WPs

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to consider the petitioners' representations dated 04.04.2025 and the subsequent representations dated 05.04.2025 made to the fourth respondent.

For Petitioners in
all WPs

Mr. A. Kumar
along with
Mr. K.J. Sivakumar

For Respondents in
all WPs

Mr. T.K. Saravanan
Addl. Govt. Pleader

COMMON ORDER

[Order of the Court was made by M. SUNDAR, J.]

Captioned 'Writ Petitions' (hereinafter 'WPs' for the sake of brevity) are predicated on identical representations dated 04.04.2025 and 05.04.2025 (hereinafter 'said representations') made by each of



W.P.No.15058 of 2025 etc.,

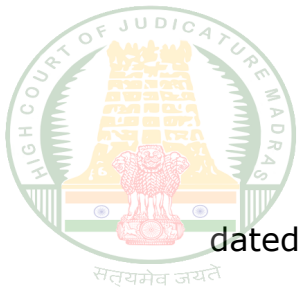
the writ petitioners wherein writ petitioners, who are encroachers in a water body, seek issue of free house site pattas in an alternative site at Thandavarayan Chozhan Pettai, Chidambaram Taluk, Cuddalore District.

2. Learned counsel for writ petitioners submits that the writ petitioners are entitled to free house site pattas but they are under imminent threat of dispossession/demolition under 'the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (Tamil Nadu Act 8 of 2007)' (hereinafter 'Tanks Act' for the sake of brevity).

3. Issue notice to respondents.

4. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for all four respondents, submits on instructions that the requests of the writ petitioners for issue of free house site pattas at alternative site have been examined and the State has come to the conclusion that the writ petitioners are entitled to free house site pattas *vide* G.O. (Ms.) No.97, Revenue and Disaster Management [LD-1(1)] Department dated 21.02.2025 as amended by G.O. (Ms.) No.205, Revenue and Disaster Management [LD-1(1)] Department

Page Nos.3/10



W.P.No.15058 of 2025 etc.,

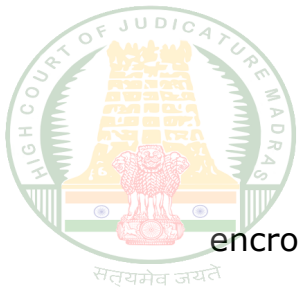
dated 26.04.2025 (hereinafter 'said GOs' for the sake of convenience and clarity').

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5. Learned State counsel further submits, on instructions, that decision has been taken by State to grant free house site pattas in Thandavarayan Chozhan Pettai, Chidambaram Taluk, Cuddalore District and the exercise of grant of free house site pattas will be completed as expeditiously as the business of official respondents would permit but in any event on or before 31.07.2025.

6. Owing to the stated position of the learned State counsel, the task of disposal of captioned WPs and captioned 'Writ Miscellaneous Petitions' (hereinafter 'WMPs' for the sake of brevity) thereat has become fairly simple. Therefore, with the consent of learned counsel on both sides, captioned main WPs are taken up in the Admission Board.

7. If the State has already taken a decision to grant free house site pattas at Thandavarayan Chozhan Pettai, Chidambaram Taluk, Cuddalore District, to writ petitioners *vide* said GOs, it is only appropriate that coercive action against writ petitioners *qua*



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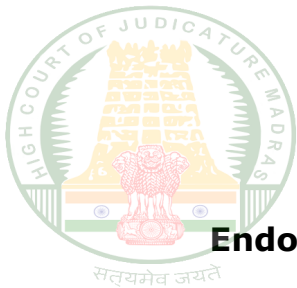
encroachments made by them is deferred till pattas are issued to writ petitioners. To be noted, Mr.A.Kumar, along with Mr. K.J. Sivakumar, learned counsel on record for writ petitioners, fairly submits, on instructions, that the writ petitioners will readily accept the alternative site and will vacate the encroachments *qua* water body without waiting for coercive action. In other words, no sooner than alternative sites are provided, writ petitioners will vacate the encroachments without compelling coercive action. This submission is recorded. In this regard, learned counsel for writ petitioners, on instructions, has made endorsements in the case files and a scanned reproduction of the same is as follows:

Endorsement in W.P.No.15058 of 2025:

The petitioner in the writ petition accepts the alternative site at Tandavarayan cholam Pettai which was identified by the authorities. Hence this Hon'ble Court may be pleased to pass appropriate orders and thus render Justice.

J. S. Smilemani,
2/6/2025
Counsel for petitioner.

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W.P.No.15058 of 2025 etc.,

Endorsement in W.P.No.15103 of 2025:

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The Petitioner in the Writ Petition
accepts the alternative site at
Tandavarayan Cholan Pettai which
was identified by the authorities.
Hence this Hon'ble Court may be
pleased to pass appropriate orders
and thus render Justice
J. S. Srinivasan
2/6/2025
Counsel for petitioner.

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Endorsement in W.P.No.15108 of 2025:

The petitioner in the Writ Petition
accepts the alternative site at
Tandavarayan Cholan Pettai which
was identified by the authorities.
Hence this Hon'ble Court may be
pleased to pass appropriate orders
and thus render Justice
J. S. Srinivasan
2/6/2025
Counsel for petitioner.

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W.P.No.15058 of 2025 etc.,

Endorsement in W.P.No.15112 of 2025:

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The Petitioner in the Writ Petition
accepts the alternative site at
Tandavarayan Cholan pettai which
was identified by the authorities.
Hence this Hon'ble Court may be
pleased to pass appropriate orders
and thus render justice

Sd/- S. Srinivasan
2/6/2025
Counsel for Petitioner.

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Endorsement in W.P.No.15114 of 2025:

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The Petitioner in the Writ Petition
accepts the alternative site at
Tandavarayan Cholan pettai which
was identified by the authorities.
Hence this Hon'ble Court may be
pleased to pass appropriate orders
and thus render justice

Sd/- S. Srinivasan
2/6/2025
Counsel for Petitioner.

IN THE
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W.P.No.15058 of 2025 etc.,

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8. We make it clear that this common order is being made by recording the stated position of learned State counsel. In other words, it is in the nature of a consent order and therefore, this order will not serve as a precedent in other cases of this nature.

9. Captioned WPs are disposed of by making the following order:

- i. Let the decision of the State to grant free house site pattas to writ petitioners *vide* said Government Orders be implemented by issuing suitable orders as expeditiously as the official business of the respondents would permit but in any event on or before 31.07.2025; and
- ii. Post 31.07.2025, if the writ petitioners do not vacate albeit the undertaking, coercive action already commenced shall continue and the same shall be taken to its logical end as expeditiously as the official business of respondents would permit but in any event within three months therefrom *i.e.*, on or before 31.10.2025.



W.P.No.15058 of 2025 etc.,

10. Captioned main WPs are disposed of in the aforesaid manner. In the light of our allusion *supra* regarding deferring coercive action, captioned WMPs have become otiose and the same are disposed of as closed. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
02.06.2025

Index : Yes / No
Neutral Citation : Yes / No
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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