



W.P.No.15417 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.15417, 15421, 15423, 15425, 15428, 15430 and
15432 of 2025**

and

W.M.P. No.17441 of 2025 in W.P.No.15417 of 2025

W.M.P. No.17444 of 2025 in W.P.No.15421 of 2025

W.M.P. No.17443 of 2025 in W.P.No.15423 of 2025

W.M.P. No.17445 of 2025 in W.P.No.15425 of 2025

W.M.P. No.17446 of 2025 in W.P.No.15428 of 2025

W.M.P. No.17448 of 2025 in W.P.No.15430 of 2025

W.M.P. No.17449 of 2025 in W.P.No.15432 of 2025

Srinivasan Gengachalam	Petitioner in W.P.No.15417 of 2025
S.Sakthivel	Petitioner in W.P.No.15421 of 2025
R.Amudha	Petitioner in W.P.No.15423 of 2025
S.Jayanthi	Petitioner in W.P.No.15425 of 2025
Thilakavathi Rajendran	Petitioner in W.P.No.15428 of 2025
Sangeetha Manoharan	Petitioner in W.P.No.15430 of 2025
K.Selvakumar	Petitioner in W.P.No.15432 of 2025



W.P.No.15417 of 2025 etc.,

VS.

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



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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 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.



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

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.

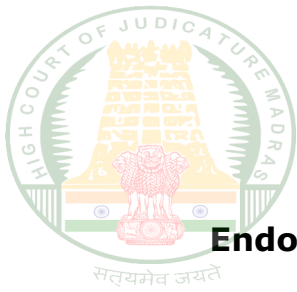
6. Owing to the stated position of the learned State counsel, the task of disposal of captioned WPs and captioned 'Writ Miscellaneous Petitions' (hereinafter 'WMPs' for the sake of brevity)



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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* 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:



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Endorsement in W.P.No.15417 of 2025:

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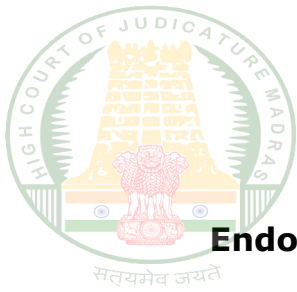
The Petitioner in the writ petition accepts the alternative site at Tandanarayan Cholan Pettai which was identified by the authorities. Hence this Hon'ble Court may be pleased to pass appropriate orders and thus render justice.

M. S. Sundaram,
21/6/2025
Counsel for Petitioner.

Endorsement in W.P.No.15421 of 2025:

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

M. S. Sundaram,
21/6/2025
Counsel for Petitioner.



W.P.No.15417 of 2025 etc.,

Endorsement in W.P.No.15423 of 2025:

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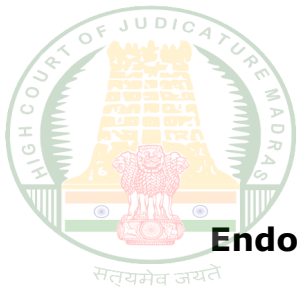
The petitioner in the writ petition accepts the alternative sit at Tandonarayan cholai pettai which was identified by the authorities. Hence this Hon'ble Court may be pleased to pass appropriate orders and thus render justice.

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

Endorsement in W.P.No.15425 of 2025:

The petitioner in the writ petition accepts the alternative site at Tandonarayan Cholai 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. S. Srinivasan,
2/6/2025
Counsel for Petitioner.



W.P.No.15417 of 2025 etc.,

Endorsement in W.P.No.15428 of 2025:



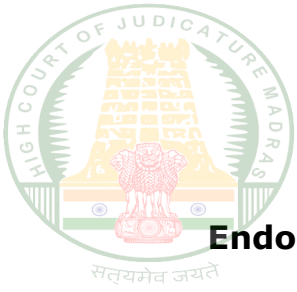
The Petitioner in the Writ Petition
accepts the alternative site at
Tandavarayan Cholan Pettai which
was identified by the authorities.
Hence this Hon'ble court may be
pleased to pass appropriate orders.
and thus render justice

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

Endorsement in W.P.No.15430 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

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



W.P.No.15417 of 2025 etc.,

Endorsement in W.P.No.15432 of 2025:

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The petitioner in the writ petition
accepts the alternative site at
Tandonarayan Cholan Pettai which
was identified by the authorities
Hence this Honble Court may be
pleased to pass appropriate orders
and this renders justice
SA. S. Sridharan,
2/6/2025
Counsel for Petitioner.

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



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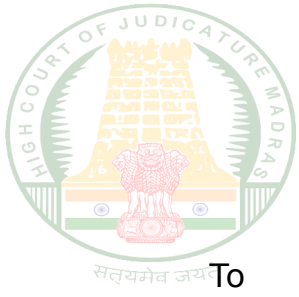
Orders be implemented by issuing suitable orders as expeditiously as the official business of the respondents would permit but in any event on or before 31.07.2025; and

- 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.

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



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W.P.No.15417 of 2025 etc.,

**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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**W.P.Nos.15417, 15421, 15423, 15425, 15428,
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02.06.2025