



WEB COPY

W.P.No.20561 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.20561 of 2021

and

W.M.P.No.21941 of 2021

Mr.P.Kannappan
S/o.Ponnusamy

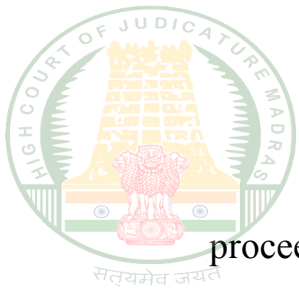
... Petitioner

VS.

1. The Chairman
Tamil Nadu Slum Clearance Board
No.5, Kamarajar Street
Chennai-600 005.
2. The Estate Officer
Tamil Nadu Slum Clearance Board
Estate Office 5, T.P.Chatram
Chennai-600 010.
3. Ranjitham
W/o.Ganesan
4. P.Ganesan
S/o.Pattabi

Respondents

Writ Petition filed under Article 226 of the Constitution of India
seeking a writ of mandamus, directing the 1st respondent to initiate



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proceedings on the petitioner's application dated 27.08.2021 and restrained illegal activities of the respondents 3 and 4 and take action against the respondents 3 and 4 as contemplated under Section 65 of the Tamil Nadu Slum Clearance Board Act.

For Petitioner : Mr.R.Muthukumar

For Respondents : Mr.B.Balaji
for Mr.S.Karthikeyan
Standing Counsel for R1 & R2
Mr.S.Pushpakaran
for R3 & R4

ORDER

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

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

2. Mr.R.Muthukumar, learned counsel on record for writ petitioner, Mr.B.Balaji, learned counsel representing Mr.S.Karthikeyan, learned Standing Counsel for R1 & R2 and Mr.S.Pushpakaran, learned counsel for R3 & R4 are before us.

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3. Adverting to a representation dated 27.08.2021 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Plot No.41, 20th Cross Street, Jothiammal Nagar - I, T.P.Chatram, Chennai-600 030' [hereinafter 'said land' for the sake of convenience and clarity] by R3 & R4 before us. To be noted, R3 & R4 are private respondents.

4. Considering the facts and circumstances of the case in juxtaposition with 'G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022' {hereinafter 'said GO' for the sake of convenience} which puts in place a removal of encroachment procedure *inter-alia* giving opportunity to alleged encroachers, we are of the view that the captioned WP can be disposed of with consent of both sides by putting in a safety valve / adequate protection *qua* alleged encroachers *i.e.*, R3 & R4.



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5. 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.

6. It was submitted by learned State counsel that said GO 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.

7. In the light of the narrative thus far, we deem it appropriate to refer the matter to the District Monitoring Committee headed by the District Collector, Chennai *qua* said GO.

8. This Court directs the jurisdictional District Monitoring Committee to examine if there is encroachment *qua* said land.



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9. The District Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment) report the encroachment to appropriate authorities concerned for further action (for removal of encroachment). 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. The entire exercise shall be completed within a period of 14 weeks from today *i.e.*, by 23.10.2025.

10. 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.

11. 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 District 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



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land and it will apply only to public land, if there is any encroachment in public land.

12. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. Consequently, connected Writ Miscellaneous Petition is disposed of as closed. There shall be no order as to costs.

(M.S.J.,)

(H.C.J.,)

17.07.2025

Index : Yes / No

Neutral Citation : Yes

Speaking / Non-speaking

mk

To

1. The Chairman
Tamil Nadu Slum Clearance Board
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Chennai-600 005.
2. The Estate Officer
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Estate Office 5, T.P.Chatram
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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