



W.P.No.18566 of 2024

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**

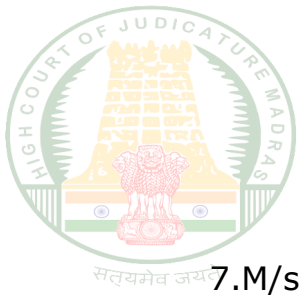
W.P.No.18566 of 2024

C.S.Lavakumar

... Petitioner

Vs.

- 1.The District Collector,
Chengalpet District,
Collectorate Building,
Chengalpet District.
- 2.The Commissioner,
Corporation of Tambaram,
Tambaram.
- 3.The Tahsildar,
Tambaram Taluk,
Tambaram, Chennai – 600 045.
- 4.Zonal Officer,
Zone 4, Tambaram Corporation.
- 5.Assistant Engineer,
Zone 4, Tambaram Corporation.
- 6.Junior Engineer,
Zone 4, Tambaram Corporation.



W.P.No.18566 of 2024

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7.M/s.Sri Selliamman & Co.,
No.80, Pillaiyar Kovil Street,
Koyambedu, Chennai – 107.

8.M/s.Bavishya Deepam
rep. By its Authorised Person
Mr.Balasubramanian,
No.6, Samathuvapuram Salai,
Old Perungalathur, Chennai – 93.

9.M/s.IPM Prayer House
rep. By its Pastor
Mr.Krishnan @ Cristopher,
No.4, Samathuvapuram Salai,
Old Perungalathur, Chennai – 93.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 6 to remove all the encroachments made in Zone No.4, Ward No.56, Survey No.533, Mangaleri Lake, Samathuvapuram Salai, Old Perungalathur, within the limit of Corporation of Tambaram and direct the second respondent to supervise the seventh respondent to do the work in accordance with law.

For Petitioner : Mr.S.Sathyaraj

For Respondents : Mr.M.S.Arasakumar,
Government Advocate
for R1 and R3
Mr.P.Srinivas,
Standing Counsel
for R2 and R4 to R6



W.P.No.18566 of 2024

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ORDER

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

Captioned matter is listed today under the cause list caption 'FOR DISMISSAL'. Mr.S.Sathyaraj, learned counsel on record for writ petitioner expresses regret for missing the matter in the previous listing and tenders apology. This is accepted.

2. Adverting to a representation dated 09.03.2024 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Zone No.4, Ward No.56, Survey No.533, Mangaleri Lake, Samathuvapuram Salai, Old Perungalathur,' [hereinafter 'said land' for the sake of convenience and clarity].

3. 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 encroacher/s, we are of the view that the captioned WP can be disposed of by

Page Nos.3/7



W.P.No.18566 of 2024

putting in a safety valve / adequate protection qua encroacher/s.

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4. 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.

5. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by the Revenue Divisional Officer, Tambaram *qua* said GO.

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

7. The Divisional 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



W.P.No.18566 of 2024

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 22.09.2025.

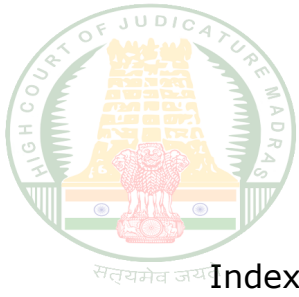
8. It is open to the writ petitioner and or anyone concerned with this matter to come to this Court on the same issue even with a similar / same prayer if there is any change of circumstances.

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

10. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.)

(H.C.J.)



W.P.No.18566 of 2024

16.06.2025

Index : Yes / No

Neutral Citation : Yes / No
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- 6.The Junior Engineer,
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- 7.The Revenue Divisional Officer,
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Page Nos.6/7



WEB COPY



W.P.No.18566 of 2024

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and
HEMANT CHANDANGOUDAR, J.,**

mmi

W.P.No.18566 of 2024

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