



W.P.Nos.23003, 23007 and 23010 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

CORAM

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.Nos.23003, 23007 and 23010 of 2025

and

W.M.P. No.25831 of 2025 in W.P.No.23003 of 2025

W.M.P. No.25838 of 2025 in W.P.No.23007 of 2025

W.M.P. No.25839 of 2025 in W.P.No.23010 of 2025

M.Sekar

... Petitioner in
W.P.No.23003 of 2025

Banumathi

... Petitioner in
W.P.No.23007 of 2025

Kamalakannan

... Petitioner in
W.P.No.23010 of 2025

Vs.

1.The District Collector,
Ariyalur District, Ariyalur.

2.The Revenue Divisional Officer,
Ariyalur.

3.The Tahsildar,
Tahsildar Office, Ariyalur Taluk,
Ariyalur District.

4.The Special Officer,
Block Development Officer,
Nagamangalam Village,
Ariyalur Taluk, Ariyalur District.

... Respondents in
all WPs

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Writ Petitions filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari to call for the records from the fourth respondent and quash the impugned notice in Na.Ka.No.OO.Se/005/2025 dated 20.03.2025 issued by the fourth respondent.

For Petitioner : Mr.S.Selvaraj
in all WPs

For Respondents : Mr.T.K.Saravanan,
Additional Government Pleader
in all WPs

COMMON ORDER

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

This common order will govern captioned three main 'Writ Petitions' (hereinafter 'WPs' for the sake of brevity) and 'Writ Miscellaneous Petitions' (hereinafter 'WMPs' for the sake of brevity) thereat.

2. Captioned main WPs have been filed with identical prayers for issue of writs of certiorari qua identical 'notices of R4 [The Special Officer, Block Development Officer, Nagamangalam Village, Ariyalur Taluk, Ariyalur District] signed by R4 on 20.03.2025' (hereinafter 'impugned notices' for the sake of convenience and clarity) alleging encroachment in a waterbody and calling upon respective noticees to vacate within fifteen days.



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3. When the matter was first listed before this Court on 26.06.2025, the following proceedings were made:

'W.P.Nos.23003, 23007 and 23010 of 2025

M.SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

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

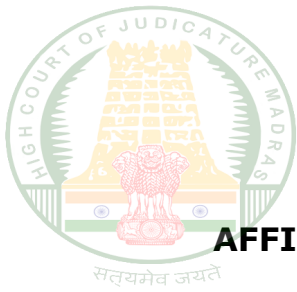
Mr. S. Selvaraj, learned counsel on record for writ petitioners, seeks time to file an affidavit of writ petitioners undertaking to vacate within four months.

2. We express no opinion at this juncture on the above but the matter will stand over by one week to enable the writ petitioners to bring on board an affidavit from writ petitioners, as aforesaid.

3. List one week hence in the Admission Board, i.e., Motion List, under the cause list caption 'ADJOURNED ADMISSION'.

4. List on 03.07.2025.'

4. Today, in continuation of the aforementioned proceedings, Mr.S.Selvaraj, learned counsel for writ petitioner in all three captioned main WPs has filed three separate affidavits sworn to by each of the writ petitioners and scanned reproduction of the three affidavits are as follows:



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AFFIDAVIT OF UNDERTAKING IN W.P.No.23003 of 2025:

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(SPECIAL ORIGINAL JURISDICTION)**

W.P.NO. 23003 of 2025

M. Sekar
S/o Marudha Muthu,
No.52, Kanjili Kottoy,
Nagamangalam Villlage,
Ariyalur Taluk,
Ariyalur District.

....Petitioner

VS.

**1. The District Collector,
Ariyalur District,
Ariyalur,**

**2.The Revenue Divisional Officer,
Ariyalur.**

**3. The Tahsildar,
Tahsildar office, Ariyalur Taluk
Ariyalur District .**

**4.The special officer,
Black Development Officer,
Nagamangalm village,
Ariyalur Taluk,
Ariyalur District.**

....Respondents

UNDERTAKING AFFIDAVIT OF M. SEKAR.

I, M. Sekar S/o Marudha Muthu, Hindu, aged bout 48 years,
residing at No.52, Kanjili Kottoy, Nagamangalam Villlage, Ariyalur
Taluk, Ariyalur District, now temporarily comedown to Chennai and
files this affidavit, do hereby solemnly affirm and sincerely state as
follows:-

M. Sekar



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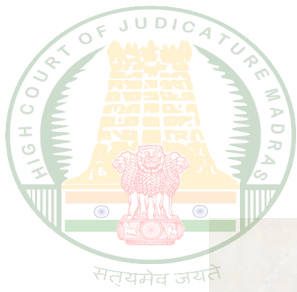
...2...

1. I humbly submit that I am the petitioner herein and as such I am well acquainted with the facts of the case. I am the competent person to file this affidavit.

2. I humbly submit that I have filed the above writ petition challenging the order of the 4th respondent dated 20-3-2025 as I am residing in the said address more-than 30 years by paying House tax, water tax and other charges to the Concern Authority/Government. The impugned notice is served on me that I have constructed my house situated in the above said address belongs to Government land. The said writ petition came up for hearing before this Hon`ble Court on 26-06-2025 on that day I have given consent to this Hon`ble Court to vacate from the land. Since the land belongs to the Government now I undertakes to vacate from the said land which address is mentioned in the impugned notice within a period of 4 Months from today 3-7-2025. Further I agreed to vacate on or 4-11-2025.

It is therefore prayed that this Hon`ble court may be pleased to record this affidavit of Undertaking for vacating my house which is

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more fully described in the impugned notice dated 20-03-2025 issued by the 4th respondent on or before 04-11-2025 and pass such other suitable orders and thus render justice.

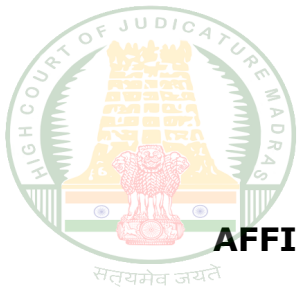
Arivalan
Solemnly affirmed at Chennai
On this 3rd day of July-2025,
After explaining the content
of this affidavit in Tamil to me and
After I understood the same
I signed in this affidavit
in Tamil.

LOBEED

BEFORE ME

K. Lakshmi D. Com. 1/2
Advocate
ARIVALAN,
M.S. NO: 2851/2022

ADVOCATE, CHENNAI



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AFFIDAVIT OF UNDERTAKING IN W.P.No.23007 of 2025:

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(SPECIAL ORIGINAL JURISDICTION)**

W.P.NO. 23007 of 2025

Banumathi
W/o Veerappan,
Residing at No.183, North Street,
Kanjili Kottoy,
Nagamangalam Villlage,
Ariyalur Taluk,
Ariyalur District.

....Petitioner

VS.

1. The District Collector,
Ariyalur District,
Ariyalur,

2.The Revenue Divisional Officer,
Ariyalur.

3. The Tahsildar,
Tahsildar office, Ariyalur Taluk
Ariyalur District .

4.The special officer,
Black Development Officer,
Nagamangalm village,
Ariyalur Taluk,
Ariyalur District.

....Respondents

UNDERTAKING AFFIDAVIT OF V. BANUMATHI

I, V. Banumathi W/o Veerappan, Hindu, aged bout 60 years,
residing at No.183, Kanjili Kottoy, Nagamangalam Villlage, Ariyalur
Tauk, Ariyalur District, now temporarily comedown to Chennai and
singed in this affidavit, do hereby solemnly affirm and sincerely state
as follows:-



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1. I humbly submit that I am the petitioner herein and as such I am well acquainted with the facts of the case. I am the competent person to file this affidavit. The impugned notice issued by the 4th respondent in the name of my son namely Mr. Radhakrishnan. Since the house tax, water tax and other records stands in my name and so I have filed the present writ petition.

2. I humbly submit that I have filed the above writ petition challenging the order of the 4th respondent dated 20-3-2025 as I am residing in the said address more-than 35 years by paying House tax, water tax and other charges to the Concern Authority/Government to the land of my constructed house. The impugned notice is served on me that I have constructed my house situated in the above said address belongs to Government land. The said writ petition came up for hearing before this Hon`ble Court on 26-06-2025 on that day I have given consent before this Hon`ble Court through my counsel to vacate from the land. Since the land belongs to the Government now I undertakes to vacate from the said land which address is mentioned in the impugned notice within a period of 4 Months from today 3-7-2025. Further I agreed to vacate on or 4-11-2025.

(Signature)



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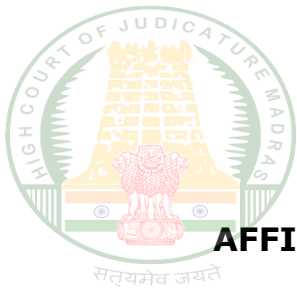
It is therefore prayed that this Hon`ble court may be pleased to record this affidavit of Undertaking for vacating my house which is more fully described in the impugned notice dated 20-03-2025 issued by the 4th respondent on or before 04-11-2025 and pass such other suitable orders and thus render justice.

Ariyalur
Solemnly affirmed at Chennai
On this 3rd day of July-2025,
After explaining the content
of this affidavit in Tamil to me and
After I understood the same
I signed in this affidavit
in Tamil.

** 25/7/2025*
BEFORE ME

K. Lakshmi P. Ram. R.
Advocate
ARIYALUR
MS: NO. 2851/2022

ADVOCATE, CHENNAI



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AFFIDAVIT OF UNDERTAKING IN W.P.No.23010 of 2025:

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(SPECIAL ORIGINAL JURISDICTION)**

W.P.NO. 23010 of 2025

Kamalakannan
S/o Sarkarai
No.1/58, Kanjili Kottoy,
Nagamangalam Villlage,
Ariyalur Taluk,
Ariyalur District.

....Petitioner

VS.

1. The District Collector,
Ariyalur District,
Ariyalur,

2.The Revenue Divisional Officer,
Ariyalur.

3. The Tahsildar,
Tahsildar office, Ariyalur Taluk
Ariyalur District .

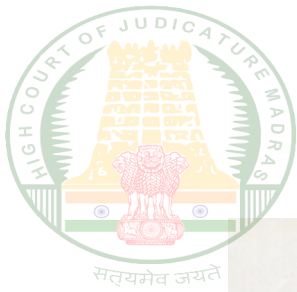
4.The special officer,
Black Development Officer,
Nagamangalm village,
Ariyalur Taluk,
Ariyalur District.

....Respondents

UNDERTAKING AFFIDAVIT OF S. KAMALAKANNAN

I, S. Kamalakannan S/o Sarkarai, Hindu, aged about 45 years, residing at No.1/58, North Street, Kanjili Kottoy, Nagamangalam Village, Ariyalur Taluk and Ariyalur District, now temporarily comedown to Chennai and singed in this affidavit of

S. Kamalakannan



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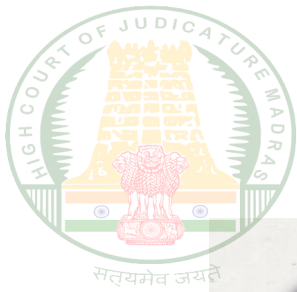
...2...

undertaking, do hereby solemnly affirm and sincerely state as follows:-

1. I humbly submit that I am the petitioner herein and as such I am well acquainted with the facts of the case. I am the competent person to file this affidavit.

2. I humbly submit that I have filed the above writ petition challenging the order of the 4th respondent dated 20-3-2025 as I am residing in the said address more-than 35 years from my childhood onwards by paying House tax, water tax and other charges to the Concern Authority/Government to the land of my constructed house. The impugned notice is served on me that I have constructed my house situated in the above said address belongs to Government land. The said writ petition came up for hearing before this Hon`ble Court on 26-06-2025 on that day I have given consent before this Hon`ble Court through my counsel to vacate from the land. Since the land belongs to the Government now I undertakes to vacate from the said land which address is mentioned in the impugned notice within a period of 4 Months from today 3-7-2025. Further I agreed to vacate on or 4-11-2025.

S. Karan Raj.



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It is therefore prayed that this Hon`ble court may be pleased to record this affidavit of Undertaking for vacating my house which is more fully described in the impugned notice dated 20-03-2025 issued by the 4th respondent on or before 04-11-2025 and pass such other suitable orders and thus render justice.

Ariyalur
Solemnly affirmed at Chennai
On this 3rd day of July-2025,
After explaining the content
of this affidavit in Tamil to me and
After I understood the same
I signed in this affidavit
in Tamil.

S. S. Sankaranarayanan

BEFORE ME

K. Sankaranarayanan, B.Com-BC
Advocate
ARIYALUR
MS:NB-2851/2022

ADVOCATE, CHENNAI

5. The contents of the aforementioned affidavits dated 03.07.2025 speak for themselves and therefore, we do not dilate on the same any further.

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6. Issue notice.

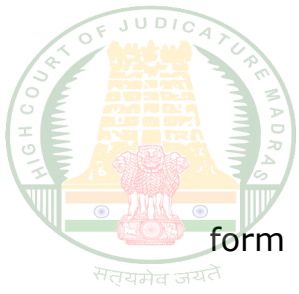
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7. Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for all four respondents and submits that he has been favoured with copies of aforementioned affidavits of the three writ petitioners which are affidavits of undertaking.

8. Learned State counsel points out that the writ petitioners are not disputing encroachment.

9. In the light of the narrative thus far, considering the facts of the case and the manner in which the writ petitioners are circumstanced, we deem it appropriate to record the aforementioned three affidavits of undertaking dated 03.07.2025 as undertaking given by the respective writ petitioners to this Court and give a closure to the captioned WPs.

10. In the light of the aforementioned affidavits of undertaking being taken on file and recorded as undertaking given by the three writ petitioners to this Court, we make it clear that the impugned notices are not interfered with but the same will be kept in abeyance till 04.11.2025. This means that there shall be no coercive action in the



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form of either dispossession or demolition qua writ petitioners as regards the subject mentioned properties till 04.11.2025. Axiomatically if the writ petitioners do not vacate by 04.11.2025 as per the affidavits of undertaking, impugned notices will get resuscitated and the same can be put into motion by State without further reference to this Court.

11. Captioned three WPs are disposed of as closed in the aforesaid manner. Consequently, captioned Writ Miscellaneous Petitions (WMPs) thereat become otiose and the same are disposed of as closed. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
03.07.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

1.The District Collector,
Ariyalur District, Ariyalur.

2.The Revenue Divisional Officer, Ariyalur.

3.The Tahsildar,
Tahsildar Office, Ariyalur Taluk, Ariyalur District.

4.The Special Officer,
Block Development Officer,
Nagamangalam Village, Ariyalur Taluk, Ariyalur District.

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

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03.07.2025