



W.P.No.21309 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 08.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.21309 of 2024
&
W.M.P.No.23265 of 2024

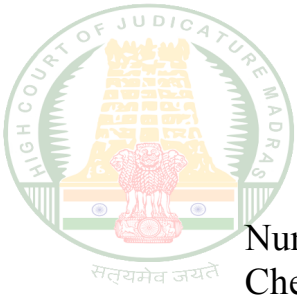
Mr.D.Devendran

... Petitioner

Vs.

- 1.The District Collector,
Tiruvallur District
Tiruvallur - 602 001
2. The District Revenue Officer
Tiruvallur District
Tiruvallur - 602 001
3. The Revenue Divisional Officer
Tiruvallur District
Tiruvallur
4. The Tahsildar
Poonamallee Taluk
Tiruvallur District
5. The Joint Commissioner
Hindu Religious and Chartiabale Endowments Department

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Nungambakkam
Chennai - 602 001

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6. Mr.D.Arumugam
Director
M/s.Malainur Properties
No.79, Palaru Street
Palaniyappa Nagar
Valasaravakkam
Chennai - 600 087

7. The Commissioner
Hindu Religious and Cultural Endowments Department
Government of Tamilnadu
No.119, Uthamar Gandhi Salai
Previously Nungambakkam High Road
Chennai - 600 034 ... Respondents
(R7 Suo motu impleaded as per order dated 01.08.2024)

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing Respondents 1 to 3 to protect the Government poramboku land comprised in Survey No.255, measuring an extent of 0.18.0 Hectares, in Vanagaram Village, Poonamallee Taluk, Thiruvallur District from encroachment.

For Petitioner : Mr.A.E.Ravi Chandran

For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for R1 to R4



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Mr.N.R.R.Arun Natarajan
Special Government Pleader for R5 and R7

Mr.S.Sadasharam for R6

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.A.E.Ravi Chandran, learned counsel on record for writ petitioner, Mr.T.K.Saravanan, learned Additional Government Pleader for R1 to R4, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for R5 and R7 and Mr.S.Sadasharam, learned counsel for R6 are before this Court.

3. Adverting to representation dated 25.06.2024 from the writ petitioner and the other villagers, learned counsel for writ petitioner submitted that there is alleged encroachment in 'Government poramboku land admeasuring an extent of 0.18.0 Hectares in Survey No.255, in



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Vanagaram Village, Poonamallee Taluk, Thiruvallur District from encroachment' [hereinafter 'said land' for the sake of convenience and clarity] by R6. To be noted, R6 is private respondent.

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 encroacher, we are of the view that the captioned WP can be disposed of by putting in a safety valve / adequate protection qua alleged encroacher i.e., R6.

5. 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.

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



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WEB COPY 7. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land.

8. 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 encroacher 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 14.10.2025.

9. 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.

10. 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



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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.

11. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. Consequently, the connected writ miscellaneous petition is disposed of as closed. There shall be no order as to costs.

(M.S.,J.)

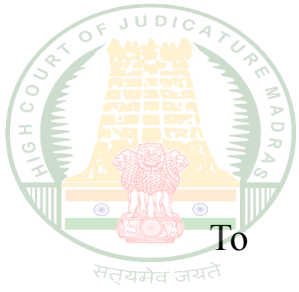
(H.C.J.)

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Index : Yes / No

Neutral Citation : Yes / No

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To

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