



W.P.No.23408 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.23408 of 2025

M.Prakash

.. Petitioner

Vs.

1. The Tahsildar
Ayanavaram Taluk
Chennai 600 102.

2. The Zonal Officer
Zone 8
Greater Chennai Corporation
Chennai 600 030.

3. Narayanan

4. Selvam

5. Leebans Raj

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Madamus directing the 1st and 2nd respondents to remove the unauthorised and illegal encroachments made by the respondents 3 to 5 on the Government Poramboke land classified as



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Road and Ditch, comprised in T.S.No.5 and 9/1, Block No.7, Ayanavaram Town and Taluk situated at Dr.Ambedkar Nagar, New Avadi Road, ICF, Chennai 38.

For Petitioner : Mr.K.Shanmugam

For Respondents : Mr.M.Habeeb Rahman
Government Advocate
for Respondent-1

Mr.A.Arun Babu
Standing Counsel
for Respondent-2

Mr.K.Balaji
for Respondents 3 to 5

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

Heard learned counsel for the parties.

2. Learned State counsel, at the outset, would submit that survey has been conducted and certain encroachments have been found, which have been duly informed to the Commissioner of Corporation, on 29.08.2025, for taking appropriate action.



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3. Learned counsel for Corporation submits that upon receipt of the report, appropriate proceedings shall be drawn and notice will be issued to the persons who are alleged to be encroachers.

4. Learned counsel appearing for respondents 3 to 5 would submit that respondents 3 to 5 are not encroachers, but are tenants and that they are in possession under valid authority of law.

5. Be that as it may, taking into consideration that some survey has been conducted and the proceedings are in contemplation, we are not inclined to keep this petition, but to dispose it of.

6. In case the Corporation proceeds to issue notice to private respondents, private respondents will be entitled to raise all grounds and defences which are available to them under law and after giving them opportunity of hearing, the Corporation shall pass such order as may be considered appropriate, as early as possible.



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7. Petition is disposed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
01.09.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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G.ARUL MURUGAN,J.

(kpl)

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