



W.P.No.25284 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 12.06.2025

CORAM

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

W.P.No.25284 of 2024

S.Shanthi Selvakumar

... Petitioner

vs.

1. The Secretary to Government
Housing and Urban Development Department
Fort St. George
Secretariat
Chennai-600 009.
2. The District Collector
Chennai District
No.62, Rajaji Salai
Chennai-600 001.
3. The Chairman and Managing Director
Tamil Nadu Housing Board
No.493, Anna Salai
Nandanam, Chennai-600 035.
4. The Executive Engineer & Administrative Officer (ADO)
Anna Nagar Division
Tamil Nadu Housing Board
Thirumangalam, Chennai-600 101.
5. The Manager

Page Nos.1/8



WEB COPY



W.P.No.25284 of 2024

Sales and Service
Anna Nagar Division
Tamil Nadu Housing Board
Thirumangalam, Chennai-600 101.

6. Deputy Commissioner of Police
Anna Nagar Police District
O/o. K-4, Police Station
Anna Nagar, Chennai-600 040.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to remove the encroachments made at Survey Nos.269/1 Part, 273/1 Part and 253/1 Part in T.S.No.Ward-I, Block 40, Chennai Corporation Division Nos.88 & 89, within a stipulated period as order of this Hon'ble Court by considering the petitioner's representation dated 02.06.2024.

For Petitioner : Mr.P.V.Selvakumar
For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for R1 & R2
Mr.D.Veerasekaran
Standing Counsel, for R3 to R5
Mr.S.Santhosh
Government Advocate, for R6

ORDER

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

Read this in conjunction with and in continuation of earlier proceedings made in the listing on 05.06.2025 which reads as follows:



WEB COPY



W.P.No.25284 of 2024

'Subject matter of captioned writ petition is land comprised in Survey Nos.269/1 Part, 273/1 Part and 253/1 Part in T.S.No. Ward-I, Block 40, Chennai Corporation Division Nos.88 & 89 ('said land').

2. From the submissions made at the bar today, it comes to light that it is necessary to have clarity about the revenue classification of said lands.

3. Mr.T.K.Saravanan, learned Additional Government Pleader, sought time to get instructions on the above and revert to this Court. Request acceded to.

4. List one week hence. List on 12.06.2025.'

2. Adverting to earlier proceedings, learned State Counsel confirms that said land has been classified as public land / water body in the revenue records. Though there is an earlier judicial order dated 14.03.2022 in W.P.No.17689 of 2020 which came to be made at the instance of the same writ petitioner (S.Shanthi Selvakumar), Mr.P.V.Selvakumar, learned counsel for writ petitioner now submits that it will serve the purpose if G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022 is applied. We accede to this request.



W.P.No.25284 of 2024

3. Adverting to a representation dated 02.06.2024 from the writ petitioner, learned counsel for writ petitioner submitted that there is alleged encroachment in said land.

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

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.



W.P.No.25284 of 2024

6. 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, Chennai Central Division, Chennai District *qua* said GO.

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 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 18.09.2025.

9. It is open to the writ petitioner and or anyone concerned with this



W.P.No.25284 of 2024

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 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. There shall be no order as to costs.

(M.S.J.,) (H.C.J.,)
12.06.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking / Non-speaking
mk

To
1. The Secretary to Government

Page Nos.6/8



WEB COPY



W.P.No.25284 of 2024

Housing and Urban Development Department
Fort St. George
Secretariat
Chennai-600 009.

2. The District Collector
Chennai District
No.62, Rajaji Salai
Chennai-600 001.
3. The Chairman and Managing Director
Tamil Nadu Housing Board
No.493, Anna Salai
Nandanam, Chennai-600 035.
4. The Executive Engineer & Administrative Officer (ADO)
Anna Nagar Division
Tamil Nadu Housing Board
Thirumangalam, Chennai-600 101.
5. The Manager
Sales and Service
Anna Nagar Division
Tamil Nadu Housing Board
Thirumangalam, Chennai-600 101.
6. Deputy Commissioner of Police
Anna Nagar Police District
O/o. K-4, Police Station
Anna Nagar, Chennai-600 040.
7. The Revenue Divisional Officer,
Chennai Central Division
Chennai District.



WEB COPY



W.P.No.25284 of 2024

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

mk

W.P.No.25284 of 2024

12.06.2025

Page Nos.8/8