



W.P.No.26452 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.26452 of 2025

Dr.A.Thomas George

... Petitioner

Vs.

1. The District Collector
Kancheepuram District, Collectorate,
Kancheepuram-631 501.

2. The Revenue Divisional Officer
Office Of The Revenue Divisional Officer,
20/b, V.R.P. Chatram,
Sriperumbudur-602 105,
Kancheepuram District.

3. The Tahsildar
Kundrathur Taluk, Taluk Office,
Kundrathur-600 069,
Kancheepuram District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, Directing the respondents to consider the representation of the petitioner dated 20.06.2022 and pay compensation to the petitioner within a fixed time frame for the encroachment done by the respondents inside the lands of the petitioner



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to an extent of 1187 sq.mts (12,772 sq.ft) in S.No.292 of Aadhanur Village, Kancheepuram District for laying a water channel and in event of failure to do so, direct the respondents to remove the water channel dug up by them inside the petitioners lands

For Petitioner : Mr.K.Sridhar

For Respondent : Mr.G.Velu, AGP

ORDER

This writ petition has been filed to direct the respondents to consider the representation dated 20.06.2022 and pay compensation to the petitioner for the encroachment done by the respondents inside the subject lands of the petitioner.

2. The learned counsel for the petitioner would submit that initially, the petitioner filed a writ petition in WP.No.8529 of 2020 with a prayer to survey the very same subject property and fix boundary stones therein. The said writ petition was disposed of by this Court vide order dated 11.01.2022, wherein it held that “*as per survey report, 13,000 sq.ft of the lands comprised in both the survey numbers had been encroached*”



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for laying water canal by the Revenue Authorities. If it is so, the petitioner is at liberty to make representation before the Revenue Authorities for adequate compensation for the land encroached by the Revenue Authorities for laying water canal.”

3. Pursuant to the above order, the petitioner had filed his representation dated 20.06.2022, requesting the respondents to pay adequate compensation for the subject land, which was encroached by the Authorities.

4. Further, he would contend that in the aforesaid survey report filed by the respondents in WP.No.8529 of 2020, it was clearly stated as there was an encroachment of subject land by the respondent-Department. When such being the case, the respondent is supposed to have vacated the subject premises or if they intend to occupy the same, they have to pay compensation to the petitioner for the encroached portion. However, in spite of the filing of representation dated 20.06.2022, no steps have been taken by the respondent till date. Hence, this petition.



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5. In reply, the learned Additional Government Pleader appearing for the respondent seeks time for filing counter.

6. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and also perused the materials available on record.

7. In the case on hand, initially, the petitioner filed a writ petition in WP.No.8529 of 2020 with a prayer to survey the very same subject property and fix boundary stones therein. The said writ petition was disposed of by this Court vide order dated 11.01.2022. The relevant portion of the said order is extracted hereunder:

“4. Further, the case of the petitioner is that as per survey report, 13,000 sq.ft of the lands comprised in both the survey numbers had been encroached for laying water canal by the Revenue Authorities. If it is so, the petitioner is at liberty to make representation before the Revenue Authorities for adequate compensation for the land encroached by the Revenue Authorities for laying water



canal. On receipt of the same, the Revenue Authorities are directed to consider the same and pass orders on merits and in accordance with law, within a period of twelve weeks, thereafter.”

8. A reading of the above paragraph makes it clear that a survey report was filed by the respondent in respect of the very same subject land, wherein it was stated that 13,000 sq.ft of the subject land had been encroached for laying water canal by the Revenue Authorities.

9. In view of the above, admittedly, there was an encroachment of subject land by the respondents, in which case, certainly, the respondents are liable to pay compensation to the petitioner or vacate the premises.

10. Today, the learned Additional Government Pleader sought for time to file counter. However, upon perusal of earlier adjournments, it appears that though sufficient time was granted to the respondents, no counter was filed till date.

11. Further, this Court had not taken into consideration of any of



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the allegations made in the affidavit filed by the petitioner. This Court only relies on the survey report dated 22.07.2020, which was filed by Thasildhar, with regard to the details of the encroachment made by the respondent. Upon going through the said report, it is crystal clear that the respondents are in encroachment of the subject property to an extent of 13,000 sq.ft..

12. In view of the above, since the respondent had encroached the subject land of the petitioner, now it is up to the respondent to either determine the compensation for the encroached portion and pay the same to the petitioner or to vacate the subject premises and handover the possession to the petitioner. The entire exercise shall be completed by the respondent within a period of 8 weeks from the date of receipt of a copy of this order.

13. With the above directions, this writ petition is disposed of. No cost.

12.11.2025

Speaking/Non-speaking order
Index : Yes / No

6/8



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Neutral Citation : Yes / No
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