



W.P. No.25492 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

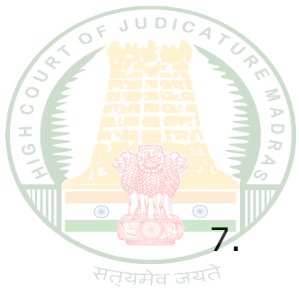
W.P.No.25492 of 2025

T. Murugan

Petitioner

vs.

1. The Commissioner of Land Administration
Ezhilagam, Chepauk
Chennai 600 005
2. The District Collector
Chengelpet
Chengelpet District
3. The District Revenue Officer
Chengelpet
Chengelpet District
4. The Revenue Divisional Officer
Maduranthagam
Chengelpet District
5. The Tahsildar
Cheyyur Taluk
Chengelpet District
6. The Public Works Department
Rep. by its Engineer in Chief
(Water Resources) Organisation &
Chief Engineer (General)
PWD, Chepauk, Chennai 600 005



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7. The Assistant Executive Engineer
(Water Resources), Kiliyaru Sub Basin
Madhuranthagam, Chengelpet District

8. M. Kanniyappan

9. S. Balamurugan

10. K.Siva

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 7 to remove the encroachment in S.Nos.142/1 (subdivided as S.Nos.142-1A measuring 90 cents, 142-1C measuring 1 acre and 25 cents, 142-1E measuring 1 acre and 27 cents) and 142/4 (subdivided as 142-4A measuring 1 acre 44 cents, 142-4C measuring 1 acre 12 cents, 142-4E measuring 3 acres 80 cents, 142-4F measuring 1 acre 52 cents) of Vedal village, Cheyyur Taluk, Chengelpet District based on the petitioner's representation dated 10.04.2024 followed by further representation dated 24.07.2024.

For petitioner Mr. T. Dharani
for Mr. K. Raja

For RR1 to 7 Mr. T.K. Saravanan
Additional Government Pleader

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ORDER

[made by M.SUNDAR, J.]

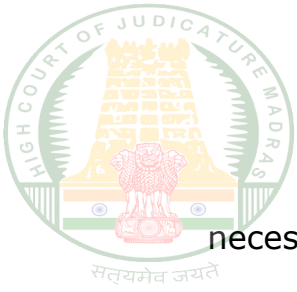
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Captioned 'writ petition' [hereinafter 'WP' for the sake of brevity] has been filed with a 'Removal of Encroachment' (RoE) prayer.

2. Subject matter of captioned WP is lands comprised in 'Survey No.142/1 (sub-divided into S.Nos.142-1A, 142/1B2, 142/1B3, 142/1B4A, 142/1B4B, 142/1C, 142/1D) and Survey No.142/4 (sub-divided into S.Nos.142/4B1 and 142/4B2) in No.55, Vedaal Village, Cheyyur Taluk, Chengalpet District' [hereinafter 'said lands' for the sake of brevity].

3. Learned counsel for writ petitioner submits that there are encroachments in said lands, alleged encroachers are private respondents (RR 8 to 10) and seeks RoE.

4. Learned counsel further submits that writ petitioner has made repeated representations to official respondents to remove the alleged encroachments in said lands, including representations dated 10.04.2024 and 24.07.2024 but the same have not yielded any results



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necessitating filing of the captioned WP. It is submitted by learned counsel for writ petitioner that said lands are catchment area (Vadikaal).

5. Issue notice to official respondents.

6. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice for respondents 1 to 7 (official respondents) and submits, on instructions, that said lands are private lands standing in the names of private individuals. In support of this contention, learned State counsel has placed before us, photocopies of relevant portions of Adangal Register and we find from the same that said lands are, in fact, private lands standing in the names of various private individuals.

7. This Court wanted to know from the learned counsel for writ petitioner the basis on which the writ petitioner is contending that said lands is a catchment area. In response to this query, learned counsel drew our attention to a notification published by Government of Tamil Nadu in Tamil Nadu Government gazette dated 28.01.1981. A



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careful perusal of the notification and Annexure I thereat (as placed before us as part of the typed set of papers) brings to light that Survey Nos.142/1 and 142/4 have only been shown as surplus lands *qua* 'Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961' [hereinafter 'said Act' for the sake of brevity] but it clearly refers to pattas. Therefore, the notification under said Act and the Annexure thereat relied upon by the writ petitioner do not come to the aid of the writ petitioner *qua* his submission that said lands is a catchment area.

8. In the light of the narrative thus far, we find that captioned WP can be disposed of by making an order which does not impact the rights of private respondents (RR 8 to 10). Therefore, we dispense with notice to private respondents (RR 8 to 10) and take up the captioned WP in the Admission Board *i.e.*, Motion List with the consent of the learned counsel for writ petitioner and learned State counsel.

9. It is clear from the narrative thus far that said lands are private lands and not Government lands or public lands. Therefore, the prayer to mandamus official respondents to remove the alleged encroachments in said lands cannot be countenanced. On this short

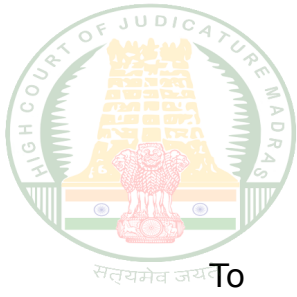


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point, captioned WP fails and the same is dismissed. There shall be no order as to costs.

(M.S., J.) (H.C., J.)
16.07.2025

cad
Index: Yes/No
N.C. : Yes/No



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