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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR JUSTICE C. SARAVANAN**

WA No. 2271 of 2022

and

CMP Nos. 17323, 17324 & 17326 of 2022

B.Venkateswaran

Appellant(s)

Vs

1.R.S.Raghavan

2.The District Revenue Officer
Thiruvallur District, Thiruvallur.

3.The Revenue Divisional Officer
Ambattur, Thiruvallur District.

4.The Assistant Divisional Engineer
Highways Department (C and M),
Metropolitan Roads, Sub Division – I,
Saidapet, Chennai 600 015.

Respondent(s)



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Writ Appeal filed under Clause 15 of Letters Patent, to set aside the Order made in WP. 19787 of 2015 dated 01.09.2021.

For Appellant(s): Mr.J.Vijayashankar

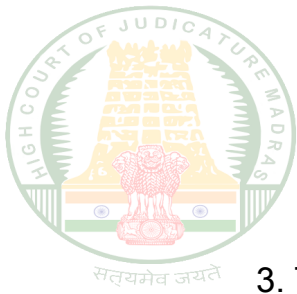
For Respondent(s): Mr.S.Sivakumar For R1
Mr.Vadivel Deenadayalan, AGP
For R2 to R4

J U D G M E N T

(Judgment was delivered by S.M.Subramaniam J.)

The present Intra-Court Appeal has been instituted by the third party to the writ proceedings.

2. The 1st respondent filed a writ petition challenging the order passed by the District Revenue Officer (DRO) dated 12.06.2015 and for a consequential relief to restore the patta in the name of 1st respondent in respect of the subject property situated in Survey No.148/1 (T.S.No.189/3) measuring to an extent of 2470 Sq.ft Korattur Village, Ambattur Taluk, Tiruvallur District.



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3. The learned counsel for the appellant would mainly contend that he is the owner of the adjacent property and the property in question belongs to the Highway Department. The 1st respondent is attempting to construct a compound wall, which would cause obstruction to the people at large. Therefore, the appellant filed the present writ appeal after obtaining leave from this Court.

4. This Court has perused the impugned writ order, wherein the facts are elaborately considered, including the report of the Tahsildar. It is not in dispute that a portion of the land belonging to the 1st respondent / writ petitioner was acquired for road formation. However, the other portion of the land, which is not acquired is with the possession of the 1st respondent / writ petitioner. Since patta was cancelled, the 1st respondent filed a writ petition seeking restoration of patta.

5. The learned Single Judge found that DRO has not followed the procedures as contemplated during the course of inquiry and the writ petition



was allowed mainly on the ground of violations of principles of natural justice.

That apart, liberty was granted to the Assistant Divisional Engineer, Highways

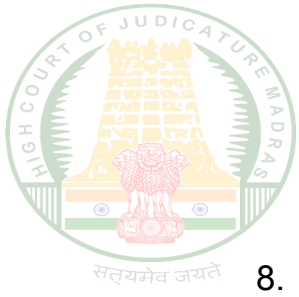
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Department, to prefer an appeal to establish their rights if the land was already

acquired or vested with the Highways Department.

6. Since the appellant claims that the land belongs to Highways Department and public interest is involved, this Court is inclined to grant liberty to the appellant to prefer an appeal before the DRO, Tiruvalur District to establish that the subject property vests with the Highways Department, similar to the liberty already granted to the Assistant Divisional Engineer.

7. In view of the above facts, the appellant or the 3rd respondent may prefer an appeal before the DRO. On receipt of any such appeal, the DRO shall conduct an inquiry by affording opportunity to all the party and thereafter pass appropriate orders on merits and in accordance with law as expeditiously as possible.



8. With these observations, this Writ Appeal stands disposed of.

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Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

(S.M.SUBRAMANIAM J.)(C.SARAVANAN J.)

10-09-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

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Thiruvallur District, Thiruvallur

2.The Revenue Divisional Officer
Ambattur, Thiruvallur District

3.The Assistant Divisional Engineer
Highways Department (C and M),
Metropolitan Roads, Sub Division I,
Saidapet, Chennai 15



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