



WEB COPY



WP No. 37298 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 37298 of 2025

T.Murugan
Son Of Thiurmalai No.1 Parivallal Street,
Anna Nagar, Pammal Chennai 75

..Petitioner

Vs

1. The Chief Executive Officer
Office Of The Cantonment Board Stm Pvm St
Thomas Mount Cum Pallavaram Chennai 600 016.
2. Defence Estate Officer
Chennai Circle No. 306 Anna Salai, Teynampet,
Chennai 600018.
3. The Tahsildar
Pallavaram Taluk, Kurinji Naga, R Kanni Kil Stret,
Chrompet, Chennai 600 044.
4. Helen Mary
Wife Of Late J Devasahayam, No. 8/111a
Depotline, Cantonment Pallavaram,
Chennai 600 043.

..Respondents



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 3rd respondent to consider official communication bearing Ref no. STM/works/1/0446 dated 08.03.2021 issued by the 1st respondent within a time frame as may be fixed by this Honourable Court.

For Petitioners : Mr.R.C.Sree Nandha
for Mr.R.Chitti Babu

For Respondents : Mr.C.Mohan and Ms.A.Rexy Josephine Mary
for M/s.King and Patridge - for R1
Mr.T.Chezhan
Additional Government Pleader - for R3
R4 - Notice dispensed with

Order

(Order of the Court was made by R.Suresh Kumar J.)

The prayer sought for herein is for a Writ of Mandamus directing the 3rd respondent to consider official communication bearing Ref no. STM/works/1/0446 dated 08.03.2021 issued by the 1st respondent within a time frame that may be fixed by this Court.

2. In the land at S.No.8/124, Depot Lines, Pallavaram, Chennai 600 043, a residential house has been constructed by the petitioner and towards the ingress and egress of his house, there is a land which is being allegedly encroached upon by the fourth respondent. Therefore, in order to remove such encroachment, the



petitioner already approached the first respondent, who in turn has sent a letter to the third respondent on 08.03.2021, which reads as follows:

" 2. With reference to the letters cited above, it is intimated that Mr.T.Murugan, No.8/124, Depot Lines, C.Pallavaram, Chennai 600 043 has submitted a complaint letter to this office stating that the pathway connecting to his property has been encroached and obstructed by Mrs. Helen Mary and Mr.Meeran and constructed a mud hut.

The complainant has also stated that they have running a steel and welding shop by dumping the waste materials in the said passage land.

3. The subject mentioned issue land is surrounded by defence lands and State Government Revenue Authority lands.

4. Hence, it is requested to conduct a joint survey with this office representatives and parties concerned to demarcate the defence lands and State Government Revenue Authorities lands separately so that the necessary action will be taken in the subject matter as per the request of the complainant cited above.

Chief Executive Officer
St.Thomas Mount cum Pallavaram."

3. Thereafter, no action has been taken by the third respondent Tahsildar.

Therefore, the petitioner moved the present writ petition.



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4. Heard the learned counsel for the petitioner and the learned counsel appearing for the first respondent and the learned Additional Government Pleader appearing for the third respondent. In view of the order that is going to be passed, notice to the fourth respondent is dispensed with.

5. As requested by the first respondent by his letter dated 08.03.2021, the third respondent Tahsildar can take steps to have a combined inspection of the land in question by giving notice to the petitioner as well as the fourth respondent or any other third party who is in occupancy or encroachment of the public land leading the residences, including the residence of the petitioner.

6. In that view of the matter, this writ petition is disposed of with a direction to the third respondent to have a joint inspection by giving notice to the petitioner and the fourth respondent and others including the official respondents herein ie., first and second respondents, complete the survey to identify whether the land belongs to the first respondent and also to find out the alleged encroachment by either the fourth respondent or any other third party and on that basis, suitable remedial action be taken to remove such encroachment by the third respondent, or the respondents 1 and 2 respectively, as the case may be. The needful as indicated



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above shall be undertaken within a period of two months from the date of receipt of a copy of this order. No costs.

(R.S.K.,J.) (H.C.,J.)
04-11-2025

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

KST

To

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HEMANT CHANDANGOUDAR J.**

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