



WEB COPY



W.P.No.34849 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.34849 of 2025

A.Murugan .. Petitioner

Vs.

1. The District Collector
Tiruvallur District, Chinna Ekkadu
Jaya Nagar, Tiruvallur – 602 001.
2. The Thasildar
Avadi Taluk, Avadi
Chennai – 600 062.
3. The Revenue Inspector
Vellanur Division, Avadi Taluk
Avadi, Chennai – 600 062.
4. The Village Administrative Officer
Vellanur Village, Avadi Taluk
Avadi, Chennai – 600 062.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of certiorarified mandamus, calling for the records relating to the impugned notice in Vu.Mu.No.61/2025 dated 19.03.2025 of the third respondent, quash the same and consequently direct the second respondent to reclassify the land in S.No.192 in Vellanur Village, Avadi Taluk, Tiruvallur District and issue patta to the petitioner.



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For the Petitioner : Mr.S.T.Varadarajalu
For the Respondents : Ms.M.Jayanthy
Additional Government Pleader

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought herein is for a writ of certiorarified mandamus, calling for the records relating to the impugned notice in Vu.Mu.No.61/2025 dated 19.03.2025 of the third respondent, quash the same and consequently direct the second respondent to reclassify the land in S.No.192 in Vellanur Village, Avadi Taluk, Tiruvallur District and issue patta to the petitioner.

2. That the petitioner has challenged the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, dated 19.03.2025. The dispute is with regard to the land to the extent of 2.28.0 hectares at Vellanur Village, Thiruvallur District. It is the claim of the petitioner that the land had been in occupation and in possession of the great grandfather of the petitioner and ultimately, with the petitioner now, where, he has already put up a hut and fencing also has been made.



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3. It is his further case that, originally, the patta has been given to the grandfather of the petitioner and subsequently, it was canceled during the time of UDR survey, where, it has been classified as lake poromboke or water poromboke.

4. In this context, already, one of his family member, namely, one *P.G.Ramasamy* had filed a writ petition in W.P.No.27317 of 2014, based on which, enquiry was contemplated by the second respondent/Tahsildar vide his proceedings dated 13.03.2024, whereby, the family member of the petitioner, as well as the petitioner, have been called for enquiry, which they have attended. Despite the enquiry having been conducted by the second respondent, no orders have been passed as to the nature of the land and as to whether the petitioner and his family members would be entitled to get any patta, as they claim.

5. The said enquiry has not been decided so far without taking any decision and since the present notice has been issued under Section 7 of the Act 3 of 1905, the same has been questioned, as contended by *Mr.S.T.Varadarajalu*, learned counsel appearing for the petitioner.



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6. Heard *Ms.M.Jayanthi*, learned Additional Government Pleader for the respondents, who, on instructions, would submit that, consistently, after the UDR survey, the said land has been categorized as Government Poromboke Lake and in Fasali Nos.1392, 1398 & 1402 of the years 1982 and 1988, that has been mentioned only as "lake inlet" to the extent of 2.28.0 hectares, therefore, patta cannot be issued to the said lands, as sought by the petitioner.

7. On the specific query, the learned Additional Government Pleader would submit that, pursuant to the enquiry which was conducted by the second respondent/Tahsildar pursuant to the notice dated 13.03.2024 involving the petitioner as well as the family member of the petitioner, no final orders are passed so far by the second respondent, however, would further submit that final orders would be passed at the earliest and based on which, further course of action would be initiated by the second respondent.

8. The said submission made by the learned Additional Government Pleader is taken on record and in view of the aforesaid factual matrix, this Court is inclined to dispose of this writ petition with the following orders:-



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(i) That there shall be a direction to the second respondent to pass orders on the enquiry which he has conducted already pursuant to the notice dated 13.03.2024 within a period of one month from the date of receipt of a copy of this order.

(ii) It is needless to mention that depending upon the outcome of the said order, to be passed by the second respondent, further course of action also could be initiated depending upon the need, including action under the provisions of the Act 3 of 1905.

(iii) Till such time, the present impugned notice dated 19.03.2025, issued under Section 7 of the Act 3 of 1905, shall be kept in abeyance.

9. With these directions, the writ petition stands disposed of.

However, there shall be no order as to costs. Consequently, W.M.P.No.39033 of 2025 is closed.

(R.S.K., J.) (H.C., J.)
07.10.2025

Speaking Order/Non-Speaking Order

Neutral Citation:Yes/No

Internet:Yes/No

Index:Yes/No

(drm)



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R. SURESH KUMAR, J.
AND
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