



W.P.No.28129 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 04.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

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1. G.Kadirvelu
S/o.Gopalsamy
2. M.Rajesh
S/o.Murugan
3. M.Jayashankar
S/o.Murugan
4. K.Krishna
S/o.Kuppanaidu
5. T.K.Vijayakumar
S/o.Kuttappan Nair

... petitioners

VS.

1. The District Collector
O/o. District Collector
Singaravelan Maligai
Chennai-600 001.
2. The Commissioner
Corporation of Greater Chennai
Rippon Building

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Park Town, Chenani-600 003.

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3. The Tahsildar
O/o.Madhavaram Taluk Office
Balaji Nagar,
Chennai-600 066.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to consider the petitioners' representation dated 15.11.2021 seeking to take appropriate action against the encroachments made at Annai Indra Nagar 1st, 2nd, 3rd and 4th Streets, Kadappa Street and the land comprised in S.No.25 of Puthagaram Village which is water body.

For petitioners : Mr.J.Rajmohan

For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for R1 and R3
Mr.Arun Babu
for R2

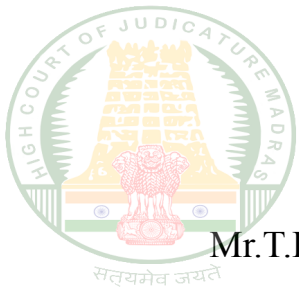
ORDER

[Order of the Court was made by M. SUNDAR, J.]

This order will now dispose of the captioned 'Writ Petition' ['WP' for the sake of brevity].

2. Mr.J.Rajmohan, learned counsel on record for writ petitioners,

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Mr.T.K.Saravanan, learned Additional Government Pleader for R1 and R3

and Mr.Arun Babu, learned counsel for R2 are before us.

3. Adverting to a representation dated 15.11.2021 from the writ petitioners, learned counsel for writ petitioners submitted that there is alleged encroachment in 'Annai Indra Nagar 1st, 2nd, 3rd and 4th Streets, Kadappa Street and the land comprised in S.No.25 of Puthagaram Village which is water body' [hereinafter 'said land' for the sake of convenience and clarity].

4. Considering the facts and circumstances of the case in juxtaposition with 'G.O.(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, dated 08.02.2022' {hereinafter 'said GO' for the sake of convenience} which puts in place a removal of encroachment procedure *inter-alia* giving opportunity to alleged encroachers, we are of the view that the captioned WP can be disposed of with consent of both sides by putting in a safety valve / adequate protection *qua* alleged encroachers.



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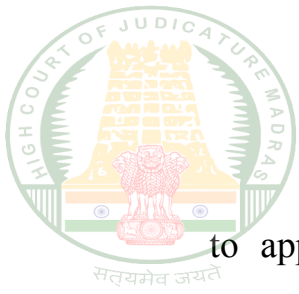
5. In the light of what has been alluded to *supra* and considering the limited scope of the captioned WP, with the consent of both sides, captioned WP was taken up.

6. It was submitted by learned State counsel that said GO has been put in place, wherein and whereby Divisional Monitoring Committee, District Monitoring Committee and State Steering Committee have been constituted *inter alia* for a single point reporting / monitoring system *qua* Government lands.

7. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by the Revenue Divisional Officer, Chennai North, *qua* said GO.

8. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land.

9. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment) report the encroachment



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to appropriate authorities concerned for further action (for removal of encroachment). To be noted, all the rights and contentions of alleged encroachers are preserved for being raised before the Committee concerned which shall consider the same on their own merits and in accordance with law untrammelled by this proceedings in this Court. The entire exercise shall be completed within a period of 14 weeks from today *i.e.*, by 10.10.2025.

10. It is open to the writ petitioners and or anyone concerned with this matter to come to this Court on the same issue even with a similar / same prayer if there is any change of circumstances.

11. We make it clear that we have not expressed any view or opinion as to whether there is encroachment or not *qua* said land as it turns on facts and it is for the Divisional Monitoring Committee to take a call on this aspect of the matter. We also make it clear that this exercise will not apply to patta land and it will apply only to public land, if there is any encroachment in public land.

12. Captioned WP is disposed of with the aforementioned



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observations and directives in the aforesaid manner. There shall be no order

as to costs.

(M.S.J.,)

(H.C.J.,)

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

mk

To

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3. The Tahsildar
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Balaji Nagar,
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4. The Revenue Divisional Officer,
Chennai North.

**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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