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W.P.No.33841 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.33841 of 2024
and
WMP Nos.4552, 8975 and 8998 of 2025

Elsiyus Fernando

...Petitioner(s)

Vs.

- 1.The Secretary,
Department Of Revenue,
State Government Of Tamil Nadu,
Fort St. George Chennai-9.
- 2.The Commissioner Of Land Administration,
Ezhilagam , Chepauk, Chennai-5.
- 3.The Inam Commissioner,
Ezhilagam Chepauk, Chennai-5
- 4.The District Collector,
Rajajisalai, Chennai-1.
- 5.The District Collector,
Collectorate,
GST Road, Chengalpattu - 603001
- 6.The Tahsildar,
Mylapore Taluk, Chennai-4.



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- 7.The Tahsildar,
Irumbuliyur (village)
Tambaram Taluk-45.
- 8.The Tahsildar,
Pallavaram Taluk
Chennai-16.
- 9.The Joint Director,
Directorate Of Enforcement (Chennai One),
2nd And 3rd Floors, C Block,
Murugesu Naicker Office Complex,
No.84 Greems Road, Thousand Lights
Chennai-600006.
- 10.The Commissioner Of Police,
Greater Chennai Police,
Commissioner Office Building,
No.132, Evk Sampath Road, Vepery,
Chennai-600007
- 11.The Commissioner Of Police,
Karappakam, Elcotsez, Sholinganallur,
Chennai- 600119.
- 12.The Inspector Of Police
Central Crime Branch
Acp-II, Team-I,
Tambaram Police Commissioner Office
Sholinganallur, Chennai-119.
- 13.The Commissioner,
Greater Corporation Of Chennai,
Ribben Building, Chennai-3.



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14. Member Secretary,
CMDA, No. 1, Gandhi Irwin Road,
Egmore, Chennai -600 008.
15. The Inspector General Of Registration,
Santhome High Road,
Mylapore, Chennai-4.
16. Sub-registrar,
SRO- East Tambaram
No.26, Mes Road,
East Tambaram, Chennai-600059
17. Sub-registrar,
SRO-Saidpet,
Joint Sub-registrar-II,
Saidapet-35, Now At Nandhanam.
18. The Director
Department Of Archeology,
Anna Centenary Library,
7th Floor, Gandhi Mandapam Road,
Kotturpuram, Chennai, - 600085
19. Right Rev. The Arch Bishop Of Madras-Mylapore Diocese,
No.41, Bishop House,
Santhome High Road,
Mylapore, Chennai-4
20. The Archdiocese Of Madras-Mylapore Society,
Represented by its Secretary,
No.41, Bishop House,
Santhome High Road,
Mylapore, Chennai-4



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21.The Diocese Of Chengalpattu Society,
Represented by its Secretary,
Bishops House,
Thimmavaram,
Chengalpattu-603101.

22.Rev. Dr.Neethinathan,
Bishop Of Chengalpattu Diocese,
Bishops House, Thimmavaram,
Chengalpattu-603101.

23.Father A Cyril Raj
Bishops House,
Thimmavaram,
Chengalpattu-603101

24.Father G.Backiya Regis
Bishops House,
Thimmavaram,
Chengalpattu-603101

25.Father George Stephen,
Son Of Mr. Stephen,
No.96/1a, Mary Illam,
J.N.Road, Gandhipuram,
Thiruvallur-602001.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 11 to conduct enquiry; recover; protect and retain the 130 acres of the Government lands comprising 75.25 acres service Inam Land in Survey No.1946 of St.Thomas Mount (No.188) Saidapet Taluk; 53.14 acres of grazing ground in Survey No.220/2 of Irumbuliyur Village, Saidapet Taluk and 1.55 acres of Porambokku Government land in Survey No.3977 in Block No.88, Mylapore Taluk; which were illegally occupied and sold by respondents 19 to 24 and their men, agents, office bearers and others and to take penal action for cheating, forgery, breach of trust; dishonest



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misappropriation and money laundering, etc, against all offenders involved in the “land scandal”.

For Petitioner(s) : Mr.P.T.Perumal

For Respondent(s): Mr.A.Edwin Prabakar
State Government Pleader Assisted by
Mr.Habeeb Rahman,
Government Pleader (For R1 to 9,15,16 & 18)

Mr.A.Gokula Krishnan,
Addl.Public Prosecutor (for R10, 11 & 12)

Mr.D.B.R.Prabhu
Standing Counsel (for R13)

Ms.P.Veena Suresh
Standing counsel (for R14)

Ms.Auxilia Peter (for R19 & 20)

Mr.Srinath Sridevan
Senior Counsel
for Ms.B.Louis Sharmila (for R21,22,24 & 25)

ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

The reason why this public interest litigation has been filed is that the petitioner apprehends that the land parcels mentioned in the prayer clause will be alienated.



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2. Shri Sridevan and Ms.Auxilia Peter state that their respective clients have no proposal or plan to alienate any land parcel. Shri Sridevan and Ms.Auxilia Peter also state that the land is not poramboke land.

3. In view of the statement made, in our view, the petition does not survive.

4. Shri Perumal, counsel for petitioner, states that respondents 1 to 11 should investigate the actions taken already by different dioceses.

5. We make no observation thereon. If petitioner feels he has locus, he may make a representation to any authority and that authority will consider/deal with/dispose it of in accordance with law. We clarify that we have not expressed any opinion as to whether petitioner has any locus or which respondent has the power to look into.

6. Mr.Sridevan further states that petitioner has filed four Criminal O.Ps. which have been suppressed in this petition.



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7. Counsel for petitioner states it is not four, but only two O.Ps. and they have not suppressed.

8. We are not going into these aspects in view of the statement made by Mr.Sridevan and Ms.Auxilia Peter at this stage.

Petition is disposed. No costs. Consequently, connected miscellaneous petitions are dismissed.

(K.R.SHRIRAM, CJ)

(MOHAMMED SHAFFIQ.J.)

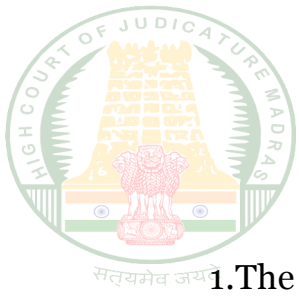
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Index : Yes/No
Neutral Citation : Yes/No

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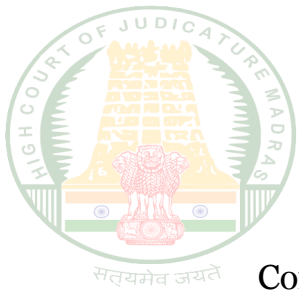
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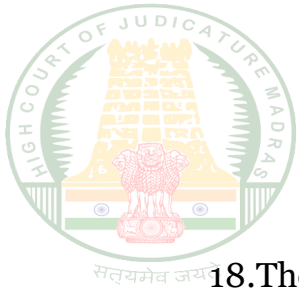


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THE HON'BLE CHIEF JUSTICE
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