



W.P.Nos.31393 and 31399 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

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THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.Nos.31393 and 31399 of 2025

and

W.M.P. No.35129 of 2025 in W.P. No.31393 of 2025

and

W.M.P. No.35134 of 2025 in W.P. No.31399 of 2025

K.Panneer Selvam

... Petitioner in
W.P. No.31393 of 2025

A.Murthy

... Petitioner in
W.P. No.31399 of 2025

Vs.

1.The District Collector,
Chennai District,
Chennai – 600 001.

2.The Revenue Divisional Officer,
South Chennai Revenue Division,
Guindy, Chennai – 600 032.

3.The Tahsildar,
Velachery Taluk, Velachery,
Chennai – 600 042.

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4. The Estate Officer,
Estate Office – 7,
Tamil Nadu Urban Habitat Development
Board, Sir Thiagaraya Salai,
Teynampet, Chennai – 600 018.

5.P.Sasikala

... Respondents in
both WPs

Writ Petitions filed under Article 226 of The Constitution of India
praying to issue a Writ of Certiorari to call for the records on the file of
the fourth respondent herein comprised in his proceedings in
Na.Ko.No.05/A/E.A.7/2025 dated 31.07.2025 and quash the same.

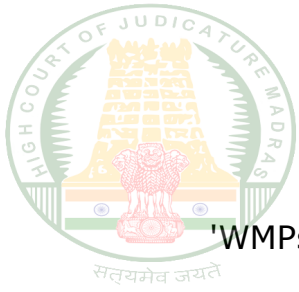
For Petitioner : Mr.J.Selvarajan
in both WPs

For Respondents : Mr.T.K.Saravanan,
Additional Government Pleader
for R1 to R3 in both WPs
Ms.K.Indhumathy Venkatesh,
Standing Counsel
for R4 in both WPs

COMMON ORDER

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

This common order will govern captioned main two 'Writ
Petitions' (hereinafter 'WPs' in plural and 'WP' in singular for the sake
of brevity) and captioned 'Writ Miscellaneous Petitions' (hereinafter



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'WMPs' in plural and 'WMP' in singular for the sake of brevity) thereat.

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2. 'Two notices both dated 31.07.2025, both bearing reference ந.கோ.எண்.05/அ/எ.அ.7/2025' (hereinafter 'impugned notices' collectively for the sake of brevity, convenience and clarity) issued by R4 (The Estate Officer, Estate Office – 7, Tamil Nadu Urban Habitat Development Board, Sir Thiagaraya Salai, Teynampet, Chennai – 600 018) have been called in question.

3. Short point is prior to impugned notices, writ petitioners were visited with notices dated 04.07.2025 issued by R4 which are Show Cause Notices (SCNs) and in and vide SCNs, writ petitioners have been called upon to show cause qua alleged encroachment and these earlier notices have been issued under Rules 4 and 5 of The Tamil Nadu Slum Areas (Improvement and Clearance) Rules, 1971.

4. In response to the afore referred SCNs, the writ petitioners have sent replies dated 11.07.2025 which have been received by R4 on 16.07.2025. This means that the writ petitioners have responded to the SCNs within the time mentioned in the SCNs.



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5. Notwithstanding the above position, without considering writ petitioners' responses dated 11.07.2025 (to be noted, without making a whisper about writ petitioners' responses) and on the contrary stating that the writ petitioners have not responded to the SCNs, impugned notices have been issued inter-alia calling upon the writ petitioners to remove the alleged encroachments themselves.

6. Learned counsel for writ petitioners predicates his campaign against the impugned notices on the sole point that the writ petitioners' responses to earlier SCNs have not been considered.

7. Issue notice to official respondents.

8. Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for R1 to R3 and Ms.K.Indhumathy Venkatesh, learned Standing Counsel accepts notice for R4 in both WPs.

9. Learned State counsel fairly submits on instructions that the impugned notices will now stand withdrawn; that R4 will now consider writ petitioners' responses dated 11.07.2025 to earlier SCNs dated 04.07.2025 and pass orders afresh.



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10. The above mentioned stated position of learned State counsel makes the legal drill at hand fairly simple. Therefore, it becomes clear that captioned main WPs and captioned WMPs thereat can be disposed of by making this common order, which does not impact private respondent/R5. On the contrary, this Court makes it clear that all rights and contentions of private respondent/R5 will remain preserved untrammelled by instant order. Therefore, we dispense with notice to private respondent/R5 and take up the main WPs in the Admission Board with the consent of learned counsel for writ petitioners and learned State counsel for official respondents.

11. In the light of the narrative thus far, the following order is made:

11.1 Impugned notices being notices both dated 31.07.2025, both bearing reference ந.கோ.எண்.05/அ/எ.அ.7/2025 stand effaced in the light of the stated position of learned State counsel;

11.2 Impugned notices stand effaced without



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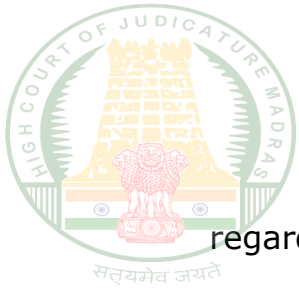
expressing any view or opinion on the merits of the matter;

11.3 R4 shall now consider writ petitioners' responses dated 11.07.2025 to SCNs dated 04.07.2025 and pass orders afresh;

11.4 Orders which are made afresh shall be served (under due acknowledgement) on the writ petitioners as well as private respondent/R5 within seven working days from the date on which orders are made;

11.5 Though obvious, it is made clear that coercive action (if any and if that be so) will be subject to orders to be made afresh by R4 in the aforesaid manner.

12. Captioned WPs are disposed of in the aforesaid manner inter-alia with preservation of rights of private respondent/R5, observations and directives. In the light of what we have written



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regarding coercive action, captioned WMPs thereat have become otiose and the same are disposed of as closed. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
19.08.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

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- 3.The Tahsildar,
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and
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