



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

AND

THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.33834 of 2023

M. Thulasidoss

Petitioner

vs.

1. The Commissioner
Corporation of Chennai
Rippon Building, Chennai 600 003

2. The Zonal Officer-VIII
Corporation of Chennai
5, Anderson Street, Ayanavaram
Chennai 600 023

3. S. Vennila

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to remove the encroachment and the unauthorised construction put up by the 3rd respondent that finds place on the public road, viz., Kamarajar Nadar Road, connecting Rajamangalam Main Road which runs from the South to North on the western side of Baba Nagar, Villivakkam, Chennai, within a time frame.

For petitioner

Mr. J. Srinivasan

For RR 1 and 2

Mr. D.B.R. Prabhu, Standing Counsel

For R3

Mr. B. Sundar



ORDER
(made by M. SUNDAR, J.)

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

2. Mr. J. Srinivasan, learned counsel who has filed vakalat today for writ petitioner, is before us.

3. Learned counsel for writ petitioner submitted that there is alleged encroachment in 'public road, viz., Kamarajar Nadar Road connecting Rajamangalam Main Road which runs from south to north on the western side of Baba Nagar, Villivakkam, Chennai' [hereinafter 'said land' for the sake of convenience and clarity] by R3. To be noted, R3 is a private respondent.

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 finally disposed of.



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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, Central Division, Chennai *qua* said GO.

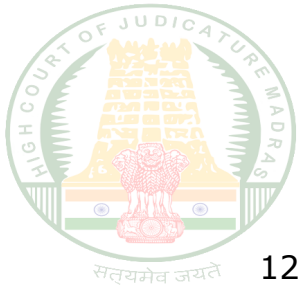
8. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment *qua* said land.



9. The Divisional Monitoring Committee *qua* said GO shall (if it comes to the conclusion that there is encroachment), report the encroachment 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 08.10.2025.

10. It is open to the writ petitioner 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.



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12. Captioned WP is disposed of with the aforementioned observations and directives in the aforesaid manner. There shall be no order as to costs.

**(M.S., J.) (H.C., J.)
02.07.2025**

cad

Index : Yes/No

NC : Yes/No

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M. SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

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