



W.P.No.2632 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 20.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

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M/s.Design Centre represented by its
Sole Proprietor Mr.Frederick Vincent,
No.3A, North Phase,
Guindy Industrial Estate,
Guindy, Chennai – 600 032.

... Petitioner

Vs.

1. The Tamil Nadu Small Industries Development
Corporation, SIDCO Office Complex
Kathipara Junction, Paulwels Road
Chennai – 600 016.
- 2.The District Collector
Fourth Floor
M.Singaravelar Maaligai
62, Rajaji Salai, Chennai Collectorate
Chennai – 600 001.
- 3.The Tahsildar
69/40, Anna Salai
Little Mount, Guindy
Chennai – 600 032.



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4.The Revenue Divisional Officer
R.D.O's Office, South Chennai Zone
Guindy, Chennai – 600 032.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the respondents to restore to its original length and breadth and maintain the 80 feet road bounded to the south of Plot No.3A North Phase Thiru.Vi.Ka.Estate upto 100 feet road East to West by permanently removing all the encroachments including the unauthorisedly parked vehicles in front of the petitioner's factory at Plot No.3A North Phase Thiru.Vi.Ka Estate encroaching upon the 80 feet road.

For Petitioner : Ms.S.Harinyi

For Respondents : Ms.Sithara Sarangan for R1
Mr.T.K.Saravanan,
Additional Government Pleader
for R2 to R4

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].

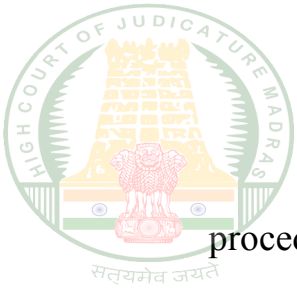


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WEB COPY 2. Ms.S.Harinyi, learned counsel on record for writ petitioner and Mr.T.K.Saravanan, learned Additional Government pleader for R2 to R4 are before us in the physical Court and Ms.Sithara Sarangan, learned counsel for R1 is before us on 'VC' ('Video Conferencing') platform. To be noted, this is a hybrid hearing, which is a regular/routine/daily feature in this Court.

3. Adverting to a representation dated 25.02.2022 from the writ petitioner, learned counsel for writ petitioner submitted that there is encroachment in front of 'Plot No.3A, North Phase, Thiru.Vi.Ka. Estate, Guindy, Chennai' [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



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procedure *inter-alia* giving opportunity to alleged encroacher/s, we are of the view that the captioned WP can be disposed of by putting in a safety valve / adequate protection qua alleged encroacher/s.

5. 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.

6. In the light of the narrative thus far, we deem it appropriate to refer the matter to the Divisional Monitoring Committee headed by R4 (Revenue Divisional Officer, South Chennai Zone, Guindy, Chennai - 32) *qua* said GO.

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



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WEB COPY 8. 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 26.09.2025.

9. 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.

10. 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



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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.

11. 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.)

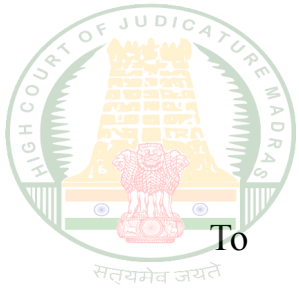
(R.S.V.,J.)

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Index : Yes / No

Neutral Citation : Yes / No

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To

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**M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,**

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