



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **18-09-2025**

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 34211 of 2025 AND

WMP NO. 38355 OF 2025

K.Thamayanthi
W/o. Kuppusamy, Kanni Koil Street,
Lakshminarayanapuram Village, Boothur Post,
Madurantakam Taluk, Chengalpattu District.

..Petitioner

Vs

1. The District Collector
Chengalpattu District.
2. The District Revenue Officer
Chengalpattu District.
3. The Tahsildar
Madurantakam Taluk, Chengalpattu District.
4. D.Mathiyalagan
S/o.Dharuman, No.111, Kanni Koil Street,
Lakshminarayanapuram Village, Padalam Via,
Madurantakam Taluk, Chengalpattu District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the Respondents 1 to 3 herein from dispossessing the petitioner from the property situated at Lakshmi Narayanapuram village, Madurantakam Taluk, chengalpattu District comprised in survey No.31/1without following the procedure established by law.

For Petitioner : Mr.G.Mageshkumar

For Respondents : Mr D.Ravichander



Special Government Pleader

ORDER

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(Order of the Court was made by R.Suresh Kumar J.)

The petitioner wants a protective order from dispossessing her from S.No.31/1, Lakshminarayanapuram Village, Madurantakam Taluk, Chengalpattu District.

2. The said land, according to the official respondents is a Government land and also a public way. Since the same is allegedly encroached by the petitioner, a third party had already approached this Court and filed a writ petition in W.P.No.14478 of 2025 seeking eviction of the writ petitioner, who was shown as fourth respondent in the said writ petition.

3. Earlier Division Bench, by order dated 24.04.2025 while disposing the said writ petition, among other things has given the following directions.

" 10. This Court directs the jurisdictional Divisional Monitoring Committee to examine if there is encroachment qua said land. The Divisional Monitoring Committee shall also ensure that adequate and ample opportunity is given to persons concerned, more particularly alleged encroacher (R4) before taking a call. In this regard, we are acutely conscious that the matter is being disposed of in Admission Board without notice to alleged encroacher and therefore, this safety valve is put in place. To be noted, all the rights and contentions of alleged encroacher 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."



4. It is the stand of the learned Special Government Pleader appearing for the official respondents that, pursuant to the said directions given by the earlier Division Bench, the Revenue authorities are contemplating to identify the encroachment allegedly made by the petitioner and if at all it is an encroachment, certainly action would be taken against him by invoking Act 3 of 1905. When that being so, it is the mere apprehension of the petitioner that the authorities will dispossess the petitioner abruptly without following any procedure, which will certainly prejudice him and therefore on that premise the petitioner has approached this Court by filing the present writ petition.

6. In view of the aforesaid stand taken by the learned Special Government Pleader appearing for the official respondents that the order passed by the earlier Division Bench dated 24.04.2025 in W.P.No.14478 of 2025 would be strictly followed and acted upon, such an apprehension / grievance in the mind of the petitioner may not necessarily be given credence.

7. In that view of the matter, by recording the aforesaid stand taken by the learned Special Government Pleader appearing for the official respondents, this writ petition is disposed of with a further observation that the orders of the earlier Division Bench made in W.P.No.14478 of 2025 shall be strictly complied with. The



writ petition is disposed of accordingly. No costs. Consequently, connected
miscellaneous petition is closed.

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(R.S.K.,J.) (H.C.,J.)
18-09-2025

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

KST



To

1. The District Collector
Chengalpattu District.
2. The District Revenue Officer
Chengalpattu District.
3. The Tahsildar
Madurantakam Taluk, Chengalpattu District.



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WP No. 34211 of 2



**R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.**

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