



WEB COPY

WP No. 35731 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 35731 of 2025

AND

WMP NO. 39993 OF 2025

N.Srinivasan,
S/o.Narayanan @ Narayanasamy,
No.16/669/1, Kosappur Road,
Jayaraj Nagar, Chittimedu,
Chennai-600 052.

Petitioner(s)

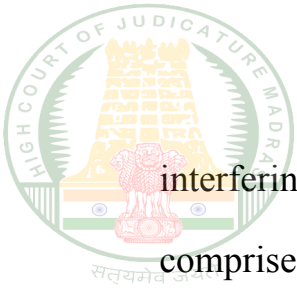
Vs

1. The District Collector,
Tiruvallur District, Tiruvallur.

2.The Tahsildar,
Ponneri Taluk, Ponneri,
Tiruvallur District.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 2nd respondent in Na.Ka. No.3128/2025/A3 dated 29.08.2025 and quash the same and forbearing from



interfering with the petitioners peaceful possession and enjoyment of the lands comprised in survey No.669, Vilangadupakkam Village, Tiruvallur District.

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For Petitioner(s): Mr.L.Chandrakumar
for Mr.R.Kamaraj

For Respondent: Mr.D.Ravichander
Special Government Pleader

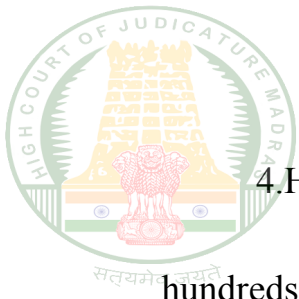
ORDER

This writ petition has been filed by the petitioner seeking to call for the records relating to the proceedings of the 2nd respondent in Na.Ka. No.3128/2025/A3 dated 29.08.2025 and quash the same and forbear from interfering with the petitioner's peaceful possession and enjoyment of the lands comprised in Survey No.669, Vilangadupakkam Village, Tiruvallur District.

2.Mr.D.Ravichander, learned Special Government Pleader, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.



3. Learned counsel for the petitioner would submit that the petitioner is dwelling in a portion of land comprised in Survey No.669, Vilangadupakkam Village, Tiruvallur District for the past 25 years by putting up a thatched house therein. There is a small shallow water measuring about 0.20 cents in the aforesaid survey number, in which, the petitioner is grazing ducks and earning a meager amount to meet out his livelihood. While so, the notice dated 01.07.2025 has been issued by the 2nd respondent at the instigation of the Ex-President one Mrs.Bharathi, treating the petitioner as encroacher of the aforesaid land. Though the petitioner sent a suitable explanation on 28.07.2025 and requested to cancel the notice dated 01.07.2025, the 2nd respondent without considering the same, by his proceedings dated 29.08.2025, rejected the petitioner's request and the Officials of the 2nd respondent is now trying to evict the petitioner. Therefore, the petitioner has filed an appeal before the 1st respondent and requested them not to disturb the peaceful possession of the petitioner. However, since the petitioner apprehend that the Officials of the 2nd respondent would evict him, he has also approached this Court.

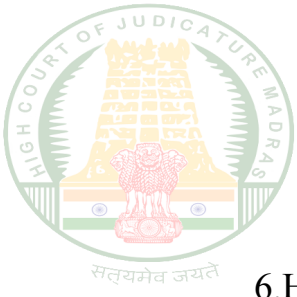


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4.He would further submit that in a very same survey number, there are hundreds of people residing. Due to the enmity developed between the petitioner and the husband of the Ex-President, a false allegation has been made against the petitioner that he is an encroacher in the aforesaid survey number.

The petitioner has been residing in the said land from the year 1982 onwards and the said land in Survey No.669 has been classified as “Meikkal” land. Therefore, the petitioner and ten other families are grazing ducks in the said shallow water. Even due to the grazing of ducks, the shallow water remains in good condition and maintaining a good environment. Hence, he prayed to set aside the impugned proceedings dated 29.08.2025 with a direction to not disturb the petitioner's peaceful possession.

5.Learned Special Government Pleader appearing for the respondents raised a strong objection even for granting an interim relief to the petitioner citing the reason that the petitioner has already filed an appeal before the 1st respondent and therefore, he could not approach this Court simultaneously when the appeal is pending.



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6. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

7. Considering the submissions made by the either parties, this Court is of the view that it is true that the appeal has been pending before the 1st respondent but the apprehension of the petitioner is that it might take sometime to get an interim order from the 1st respondent and since the Officials of the 2nd respondent are trying to evict the petitioner and only a week time limit has been fixed for eviction, he has approached this Court with the present writ petition.

8. In view of the above, *prima facie* it appears that the apprehension of the petitioner is genuine and at any costs, the interim relief would protect the lives of the ducks. Since the petitioner has already filed a appeal before the 1st respondent, this Court directs the 2nd respondent not to disturb the petitioner's possession and grazing of ducks in the shallow water located in Survey No.669,



Vilangadupakkam Village, Tiruvallur District, until the disposal of the appeal pending before the 1st respondent.

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9. With the above directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

23-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note: Issue Order Copy on 24.09.2025



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KRISHNAN RAMASAMY J.

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