



WEB COPY



W.P. No.42732 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.42732 of 2025

and

W.M.P. Nos.47797 and 47798 of 2025

V.Rajarajeswari

Petitioner

Vs

1. The Secretary To Government
Tamil Nadu Housing Department, Fort
St. George, Chennai-600 009.

2.The Managing Director
Tamil Nadu Housing Board, ,
Nandanam, Chennai-600 035.

3.The Executive Engineer And
Administrative Development Officer,
Villupuram Housing Unit, Tamil Nadu
Housing Board, East Pondy Road,
Maharajapuram, Villupuram-605 602.

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for record call for the record of the 3rd respondent in VPM / R4/ 2421/ 2008 dated 26.09.2025 and quash the same.



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For petitioner : Mr.C. Deivasigamani
For respondents : Ms.S. Anitha,
Spl. Govt. Pleader for R1
Mr.D. Veerasekaran
for R2 & R3

ORDER

Challenging the order dated 26.09.2025 issued by the 3rd respondent, this writ petition has been filed.

2. It is averred that the petitioner purchased a property measuring 2400 sq.ft. in Plot No.2, Salamedu Village, Villupuram Town, in the year 1985, for valid sale consideration, and the same was registered as Document No.250 of 1985 on the file of the Sub-Registrar - 1, Villupuram. Since the date of purchase, the petitioner has been in peaceful possession and enjoyment of the said property.

3. In the year 2024, the petitioner submitted an application seeking transfer of sub-division patta and also remitted the requisite charges. While she was awaiting favourable orders from the respondents, the 3rd respondent, all of a sudden, issued an eviction notice dated 26.09.2025 treating the petitioner as an encroacher. According to the petitioner, the survey number mentioned in the impugned eviction notice is 55/1A2B, whereas the survey of the petitioner's property is No.55/1 in the same locality. Under such circumstances,



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challenging the eviction notice dated 26.09.2025 issued by the 3rd respondent, the petitioner has filed this writ petition.

4. Learned counsel for the petitioner submitted that the petitioner had purchased the land in S.No.55/1 in the year 1985 and in continuous possession and enjoyment ever since. He further submitted after registration of the said property in petitioner's favour, she obtained electricity connection and paying property tax also for the said property. However, the 3rd respondent has issued a show cause notice alleging that the petitioner is in occupation of Survey No.55/1A2B and have proceeded to issue the impugned eviction notice, which is unsustainable. He further contended that the petitioner's land and the survey number indicated in the impugned notice are entirely different. In view of the above, it is clear that the 3rd respondent issued the said eviction notice, without proper verification of the survey records and the same is liable to be quashed. On the aforesaid score, he prays for quashment of the impugned eviction notice dated 26.09.2025 issued by the 3rd respondent.

5. Mr.D. Veerasekaran, learned counsel for the respondents 2 and 3 submitted that the impugned communication is only a show cause notice calling upon the petitioner to establish her claim. Therefore, this Court may direct the petitioner to place all relevant documents in support of her title and revenue documents before the 3rd respondent for proper determination of the factual



position as well as he has no objection for issuance of appropriate directions to the 3rd respondent to consider and verify the said documents in accordance with law.

6. Replying to the aforesaid submission, learned counsel for the petitioner submitted that the petitioner is prepared to appear before the 3rd respondent and produce all relevant documents in support of her lawful possession and therefore, he prayed before this Court for issuance of appropriate directions, within a time frame to be fixed by this Court.

7. Considering the aforesaid submissions, this Court is of the view that the petitioner must be afforded an opportunity to submit all relevant documents before the 3rd respondent, particularly in respect of the correct survey number. Accordingly, this Court issues the following directions :-

i) The petitioner is directed to appear before the 3rd respondent along with all supporting documents, within a period of two weeks from the date of receipt of a copy of this order.

ii) On such appearance, the 3rd respondent shall consider the petitioner's explanation and documents and pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter.



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8. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

11.11.2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

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M. DHANDAPANI, J.

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