



WP No.45105 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

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M.Kumar

.. Petitioner

-VS-

1. The District Collector,
Collectorate, Chengalpattu,
Chengalpattu District.
2. The District Revenue Officer,
Office of the D.R.O., Chengalpattu,
Chengalpattu District.
3. The Thasildar,
Office of the Thasildar,
Thirukazhukundram,
Thirukazhukundram Taluk,
Chengalpattu District.
4. The Block Development Officer,
Office of Thirukazhukundram Panchayat
Union, Thirukazhukundram,
Chengalpattu District.



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5. M/s.Harini City Paradise,
Corporate Office,
Rep. By its Authorized Person,
Mr.Dhilip Kumar.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for records relating to the file of the 3rd respondent and quash the same and consequently direct the 3rd & 4th respondents to remove the encroachment made by the 5th respondent in the grave yard and burial grounds of the Government land in Survey No.245 to an extent of 42 cents and also in Survey No.247 to an extent of 3.81.5 hectares situated in Kadampadi Revenue Village and remove the illegal construction of compound and fencing wall made by the 5th respondent in the Government pathway and Cart part and also direct the 3rd respondent to recover the damages for the minerals and sands illegally taken from the Survey No.245 by the 5th respondent after calculating the value by virtue of the Advocate Commissioner Report and further direct the 4th respondent to make fencing of the grave yard vide order of the 3rd respondent in Na.Ka.No.1680/2023/B2 dated 19.07.2023.

For Petitioner : Mr.S.Arokia Mani Raj

For Respondents : Mr.A.Edwin Prabakar
State Govt. Pleader
for RR 1 to 4

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ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Challenge to the order dated 19.07.2023 through this public interest litigation in this second round of litigation is essentially premised on the submission that the two surveys, which have been conducted by the statutory authorities, are factually incorrect.

2. Learned counsel for the petitioner draws attention of this Court to the reports submitted by the Court Commissioner in contempt proceedings. He would submit that the report of the Court Commissioner and that of the Revenue Officer are different and therefore, appropriate enquiry is required to be made.

3. The issue, which has now been raised before this Court is essentially disputed question of fact, which cannot be gone into in the writ petition. Therefore, we are not inclined to proceed further in the matter.



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Petition is dismissed. There shall be no order as to costs.

Consequently, the interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
01.12.2025

Index : Yes/No

Neutral Citation : Yes/No

sra

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AND
G.ARUL MURUGAN, J.

(sra)

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