



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.No.3912 of 2022 and
W.M.P.No.4061 of 2022

S.Raghuraman

..Petitioner

-VS-

1. The Secretary
Highways Department, Govt of Tamil Nadu,
Fort St.George, Chennai-600 009.
2. The District Collector
Collectors Office,
Thiruvallur District.
3. The Tahsildar Taluk Office
Gummidipoondi, Thiruvallur District.
4. The Chief Engineer
Construction and Maintenance Highways
Department,HRS Campus, 76, Sardar
Patel Road, Near Little Mount, Guindy,
Chennai 600 025.
5. The Superintending Engineer Construction
and Maintenance
Highways Department, Anna Salai,
Teynampet, Chennai-600 006.
6. The Divisional Engineer
Construction and Maintenance, Highways
Department, Near Oil Mill, Thiruvallur.



7. The Assistant Engineer
Highways Department, Near E.B. Office,
Gummidipoondi, Thiruvallur District.

8. M/s.Vincentain Charitable Trust,
No.45, MTH Road, Near Canara Bank,
Mahalingapuram, Ambattur, Chennai.

..Respondents

Prayer: To direct the respondents 2nd and 3rd to complete scheme of bridge viably with service road after removing the encroachment by prevention of houses and shopping complex by the 8th respondent and his assignees in and under the scheme bridge affecting the service road

For Petitioner:	Mr.V.Narayanan
For Respondents:	Mr.T.Arun Kumar, AGP for R1 to 7 Mr.D.Dayanithi for R8

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Writ Petition has been instituted to direct the respondents 2 and 3 to complete the Railway Project after removal of encroachments.

2. Lands were acquired for Highways Projects, more specifically for construction of Railway Over Bridge. Since encroachments are identified, the Authorities are not able to implement the project.

3. Learned counsel for the petitioner would submit that non construction of Railway Over Bridge is causing inconvenience to the public at large, resulting in hardship.



4. The Divisional Engineer, Highways filed a Status Report and details of encroachments along with Survey Numbers have been stated in Paragraph Nos.3 to 4, which read as under:

“3. It is humbly submitted that pursuant to the above Writ Petition a report has been called for from the Revenue officials and the 3rd Respondent vide Na.Ka.283/2022/A1 dated 28.02.2022 regarding the encroachments in S.No.1218B/2 of No.51 Elavoor 2 Village, Gummidipoondi Taluk, Thiruvallur District. The Report of the 3rd Respondents reveals that the Patta to the land S.No.1218B/2 of Elavoor 2 Village with extent of 0.13.0 Hectares classified as Punjai stood in the name of MR.N.Mahalingam (1804) and as per Section 10(1) Chitta extract, the patta to the land stood in the name of M/s.Tamilnadu Vincentian Charitation society. Subsequently the said S.No. was subdivided and reclassified in the Revenue Records as Government Land after Land Acquisition in the year 2011 for construction of Railway overbridge. The extract of the subdivision are as follows:

S.No.	Extent (In Hectares)	Classification	Patta details
1218B/ 2A	0.03.0	Punjai	1919, M/s.Tamilnadu Vincentian Charitation society
1218B/ 2B	0.07.0	Government Poramboke	National Highways (Land acquired for construction of Railway overbridge)
1218B/ 2C	0.02.0	Punjai	1919, M/s.Tamilnadu Vincentian Charitation society
Total	0.13.0		

The report further stated that, in the above S.No.1218B/2B with an extent of 0.07.0 hectares, an extent of 0.00.77 hectares (00077 Square Meters) has been encroached by way of a Concrete Building by the 8th Respondent.



4. It is further submitted that a Memo No.73/2022/JA/Encroachment dated 28.02.2022 has been issued to the 8th Respondent by the Assistant Divisional Engineer (H), C&M, Gummidipoondi directing the encroacher / 8th Respondent to vacate the subject land within seven days from the date of receipt of the memo. However, in response, the 8th Respondent gave an application claiming that they were not notified during the survey and requested a resurvey. Despite this, no further action has been taken by the 8th Respondent to coordinate with the Tahsildar's office for a re-survey of the land.

5. It is further submitted that, since no action has been taken by the 8th Respondent to remove the encroachment, Final eviction notices dated 28/02/2022 have been issued by the Assistant Engineer, (H), C&M, Gummidipoondi to the encroacher / 8th Respondent to ensure that the building in the subject land is surveyed through the surveyor from Gummidipoondi Taluk office are within their boundary on or before 16.12.2024 and failure to comply, the encroachments in the land belonging to the Highways Department will be removed on 17.12.2024 with the assistance of Police Department the costs incurred for removal will be recovered from the encroacher."

5. In view of the above Status Report, the respondents 2 to 7 are directed to remove encroachments, enabling the Authorities to



implement the Public project. The said exercise is directed to be completed within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (C.K.,J.)
16-02-2026

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

To:

1. The Secretary
Highways Department, Govt of Tamil Nadu, Fort St.George,
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District.



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WP No. 3912 of 2



S.M.SUBRAMANIAM J.
AND
C.KUMARAPPAN J.
AR

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