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WP No. 4455 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 05-01-2026**

CORAM

THE HONOURABLE Mr.JUSTICE S. M. SUBRAMANIAM  
AND

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

**WP No. 4455 of 2024**

1. R.Mohan,  
S/o.C.Rathinam, No. 47, Old No. 26,  
1st Street, Parameshwari Nagar, Adyar,  
Chennai - 600 020.

Petitioner(s)

Vs

1. The State Of Tamil Nadu,  
Rep. By its The Secretary To State,  
Municipal Administration And Water  
Supply Department, Fort St. George,  
Chennai - 600 009.

2.The Commissioner,  
Greater Chennai Corporation,  
Ripon Buildings, Chennai - 600 003.

3.The District Revenue Officer,  
Land And Estate Department, Greater  
Chennai Corporation, Ripon Buildings,  
Chennai - 600 003.

4.The Zonal Officer,  
Zone-xiii, Greater Chennai  
Corporation, Adyar, Chennai - 600



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5.The Tahsildar,  
Velachery Taluk, Taramani 100 Feet  
Road, Chennai - 600 113.

6.M/s. Jhn Shasanem Trade Center  
Private Limited,  
Rep. By Its Director Jainullabdeen Haja  
Najumudeen, No. 5, Anaikatti Maidan,  
Beema Nagar, Trichy - 620 001.

7.J.H.Najumudeen,  
No. 5, Anaikatti Maidan,  
Beema Nagar, Trichy - 620 001.

8.B.Lakshminarayanan,  
No.6, Thiruvalluvar Street,  
Thirumullaivayil, Chennai - 600 062.

9.B.Udayasuriyan,  
No.67, Selvavinayagarkoil Street,  
North Sanjay Gandhi Nagar,  
Pallavaram, Chennai - 600 043.

10.B.Mayurapriyan,  
No.1, Sakthi Nagar, Main Road,  
Thuraipakkam, Chennai - 600 097.

11.B.Premkumar,  
Plot No.514, Tnhb Colony,  
Sithalapakkam, Tambaram,  
Kancheepuram 600 126.

12.K.Pramila,  
No.52/16, North Park Street,  
Venkatapuram, Ambattur, Chennai - 600 053.

13.C.Seethalakshmi,



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No.7/237, 176th STREET,  
MUTHAMIZH NAGAR,  
CHENNAI - 600 118.

14.C.Balasubramanian,  
NO.7/237, 176th STREET,  
MUTHAMIZH NAGAR,  
CHENNAI - 600 118.

15.C.Mahalakshmi,  
NO.7/237, 176th STREET,  
MUTHAMIZH NAGAR,  
CHENNAI - 600 118.

(R8 TO R15 IMPLEADED VIDE ORDER DATED 05.01.2026  
MADE IN WMP.16610/2024 IN WP.4455/2024 BY SMSJ&CKJ)

16.S.V.Ravi,  
S/o.M.Vadivelu,  
No.4A, Wireless Station Road,  
Porur, Chennai - 600 116.

(R16 Impleaded Vide Order Dated 05.01.2026  
made in WMP.49497/2025 in WP.No.4455/2024 By SMSJ & CKJ)  
Respondent(s)

### **PRAYER**

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1-5 herein to remove the Encroachment in the land to an extend of 3 grounds and 1655 Square Feet, comprised in S.Nos. 64, Block No. 22, situated in Urur village, Adyar, Chennai, Earmarked and reserved for Public purposed and transferred in the name of the 2nd Respondent vide document No. 1838 of 1971 on the file of the Sub-Registrar, Saidapet, Chennai, to protect and maintain the same as a play, area or



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Park for Public purpose by considering the Petitioner's Representation dated 06.12.2023.

For Petitioner(s): Mrs. Karthikaa Ashok

For Respondent(s): Mr.T.Arun Kumar,  
AGP For Rr1, 3 and 5.  
Mr.Arun Babu  
Standing Counsel For R2 & R4.  
Mr. E.Hariharan for R6 & R7.  
M.Dharanidharan For R8 to R15.  
Mr.G.Mani Prabhu For R16.

**ORDER**

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

Writ of Mandamus has been instituted to direct the respondents 1 to 5 to remove the encroachments in the land to an extent of 3 grounds and 1665 Square Feet comprised in S.Nos. 64, Block No. 22, situated in Urur village, Adyar, Chennai, Earmarked and reserved for Public purposed and transferred in the name of the 2nd Respondent vide document No. 1838 of 1971 on the file of the Sub-Registrar, Saidapet, Chennai, to protect and maintain the same as a play, area or Park for Public purpose.

2.Pursuant to the directions issued by this Court, the 4<sup>th</sup> respondent- Greater Chennai Corporation conducted field survey, verified the approved



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layout and submitted a report. The learned Standing Counsel for Chennai Corporation would submit that the field survey was conducted along with the Revenue Tahsildar, Velacherry Taluk and after verifying the approved layout.

3.The status report would show that Thiru.M.Balasubramani, Son of Thiru.Masilamani Mudaliar had formed housing residential Layout with plots and roads situated at S.No.64(part), 67(part), 71(part), 72 and 73 in Urur Village, Adyar. The said layout was approved by the Planning Authorities vide L.A.No.18/66 dated 12-12-1969 subject to the condition that the public purpose land to be transferred to Chennai Corporation. The layout contractor had executed Gift Deed conveying 3 grounds and 1665 Sq.ft in two Schedule vide registered gift deed Doc.No.1838 of 1971, dated 22.07.1971 at the Office of the Sub-Registrar, Saidapet, Chennai. A letter was sent to the Tahsildar, Velacherry Taluk vide C7/1235/2024 dated 04.03.2024 requesting him to earmark encroached portion of the land and to submit a report for further actions. Based on the Greater Chennai Corporation letter, the Surveyor, Velacherry Taluk inspected the site on 07.03.2024 and submitted his inspection report to the Tahsildar, Velacherry Taluk on 14.03.2024. The Tahsildar, Velacherry Taluk sent inspection report to the Executive Engineer, Zone 13 on 14.03.2024. The field



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Verification report of the Surveyor, Velachery Taluk dated 14.03.2024 stated as follows:-

*“It was noticed that encroachment was made in the OSR land to an extent of 3 grounds and 1655 Square Feet, comprised in S.Nos.64, Block No.22 situated in Urur Village, Adyar, Chennai.*

*Thiru.Nijamudeen purchased the land from M/s.Vicons Constructions Pvt Ltd, vide Doc.No.2523/2014 in Urur Village, survey No.64,66,67,71,73 part Block 22, New T.S.No.2/132 for about 9000 Sq.Ft.*

*Thiru.Nijamudeen purchased the land from M.A.Narasimman, vide Doc.No.2740/2014 in Urur Village, survey No.64,66,67,71,73 part Block 22, New T.S.No.2/132, Schedule B (1/6) 1800 Sq.ft and Survey No.64,66/1, 67/2, 71/1, 73 part Block 22 New T.S.No.2/46, Schedule D, 653 Sq.Ft.*

*Thiru.Nijamudeen purchased the land from MA.Narasimman, vide Doc.No.1217/2015 in Urur Village, survey No.64,66/1,67/1,71/1,72/173 part Block 22, New T.S.No.2/138 for about 1510 Sq.Ft.*

*Thiru.Nijamudeen purchased the land from Th.MA Rukmani Ammal, Th.M.A.Srinivasan, Th.MA.Venkata Krishnan, Th.M.A.Parthasarathy, Th.M.A.Narasimman, Th.M.A.Ranganayaki, vide Doc.No.1606/2015 in Urur Village, Old survey No.64,66,67 Block 22, New T.S.No.2/1 for about 1000 Sq.Ft.”*

4.The status report contains all the documents received from Tahsildar, Velachery Taluk in support of the survey conducted by the Chennai Corporation along with the Revenue Tahsildar. In view of the fact that the common purpose land has been transferred to Chennai Corporation, as per the approved layout and a Gift Deed conveying 3 grounds and 1655 sq.ft has been executed in registered gift deed Doc.No.1838 of 1971 dated 22.07.1971, any subsequent



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alienation becomes null and void. Therefore, the Corporation Authorities along with the Revenue Officials are empowered to resume the common purpose land [OSR land] by evicting the encroachers. Accordingly, respondents 1 to 5 are directed to evict the encroachers from the common purpose land as per the Gift Deed executed in Doc.No.1838 of 1971 dated 22.07.1971 and utilize the land for the purpose for which it was earmarked in the approved layout for common purposes. The Patta if any granted in contravention to the approved layout is to be cancelled by the competent Authority of the Revenue Department. The said exercise is directed to be completed within a period of twelve(12) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands allowed. No costs.

**(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)**

**05-01-2026**

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*kmi*

Index: Yes

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes



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To

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**S.M.SUBRAMANIAM J.**

**AND**

**C.KUMARAPPAN J.**

*kmi*

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