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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 13467 of 2021

Mir Ziauddin
S/o.Haji Syed Ibrahim,
No.5/8, Dr. Thirumoorthy Nagar, 1st Street,
Nungambakkam, Chennai- 600 034

..Petitioner(s)

Vs

1. The District Collector
Chennai District.
2. The Thasildar
Sholinganallur Taluk.
3. The Village Administrative Officer
Enjambakkam Village, Sholinganallur Taluk,
Chennai.
4. The Village Administrative Officer
Sholinganallur Village, Sholinganallur Taluk,
Chennai.
5. T.G.Gopinathan (Deceased),
S/o.T.A.Govindan, Guruvillas, Old No.4/215,
New No.4/212, M.G.R. Road, Palavakkam,
Chennai- 600 041.
6. P.G.Sobha,
W/o. Late Mr.T.G.Gopinath, Guruvillas, Old
No.4/215, New No.4/212, M.G.R. Road,
Palavakkam, Chennai - 600 041.
7. Mr.Nithin Gopinath,
S/o. Late Mr.T.G.Gopinath, Guruvillas, Old
No.4/215, New No.4/212, M.G.R. Road,
Palavakkam, Chennai - 600 041.



8. Mr.Naveen Gopinath,
S/o. Late Mr.T.G.Gopinath, Guruvillas, Old
No.4/215, New No.4/212, M.G.R. Road,
Palavakkam, Chennai - 600 041.
9. Mr.Nirmal Gopinath,
S/o. Late Mr.T.G.Gopinath, Guruvillas, Old
No.4/215, New No.4/212, M.G.R. Road,
Palavakkam, Chennai - 600 041.
(R6 to R9 are substituted as Lrs of the
deceased fifth respondent R5 vide order dtd
23.01.2026 made in WMP.1993/2026 in
WP.13467/2021 by SMSJ, CKJ)

..Respondent(s)

Directing the 3rd and 4th respondents herein, to restore the original Road, by removing the deviation , and also to remove the illegal encroachment put up by the 5th Respondent, in front of the petitioner land situated in survey No.287, Injambakkam Village, Saidapet Division, now Sholinganallur Taluk.

For Petitioner(s): Mr.B.Divakaran

For Respondent(s): Mr.T.Arun kumar, AGP for R1 to R4 ,
R5 - Died ,
Mr.Sandeep Shah for
Mr.Bhaghyamchari for R6

ORDER

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

The Writ of Mandamus has been instituted to direct the respondents 3 and 4 to restore the original road by removing the deviation and also to remove the illegal encroachment put up by the 5th Respondent, in front of the petitioner's land situated in Survey No.287, Injambakkam Village, Saidapet Division, now Sholinganallur Taluk.



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2. Learned counsel for the petitioner would submit that the contesting respondents have encroached upon the public road. Complaints sent to the respondents, since not addressed, the present writ petition came to be instituted.

3. The Tahsildar, Sholinganallur, filed a counter affidavit stating that the inspection and survey was conducted and encroachments in road are also identified.

4. Learned counsel for the contesting respondents would submit that the respondents 6 to 9 have not encroached upon the public land.

5. Be that as it may. The authorities, since conducted inspection and survey and identified the encroachments in public road, they are bound to initiate enforcement action by following the proceedings as contemplated under the relevant statutes and rules in force. Opportunities are to be afforded to the encroachers and thereafter, the encroachers are to be evicted from the public road or government lands.

6. Learned Additional Government Pleader would submit that the properties are falling under the jurisdiction of Chennai Corporation. The



petitioner is at liberty to submit a copy of this order to the Commissioner, Chennai Corporation for initiation of appropriate action in co-ordination with the Tahsildar, Sholinganallur, for removing of encroachments. The contesting respondents are at liberty to defend their case by submitting an explanation or documents, if any. Such exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition stands disposed of . No costs.

(S.M.S.,J.) (K.S.,J.)
13-03-2026

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

vsi

To

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4. The Village Administrative Officer
Sholinganallur Village, Sholinganallur Taluk,
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

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