



WEB COPY

W.P.No.12824 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND**THE HONOURABLE MR.JUSTICE K.SURENDER****W.P.No.12824 of 2023****and****WMP.No.12624 of 2023**

Venkateswara Garden Owners Association,
Rep. by its Authorized Signatory Mr.Amish Doshi,
Survey No.98/2, East Coast Road,
(Opp. To Mayajal), Kanathur Reddy Kuppam Village,
Chengalpattur District, Tamil Nadu.

... Petitioner

-vs-

Kanathur Reddy Kuppam Village Panchayat,
Rep. by its President,
Kanathur Reddy Kuppam Village,
Chengalpattu District – 603 112.
Tamil Nadu.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Mandamus, forbearing the respondent's Panchayat its employees, agents, men etc., from any manner interfering with the petitioner's private Road situated within the petitioner's Gated Community area located at Survey No.98, Kanathur Reddy Kuppam Village, (Opposite to Mayajal), Thiruporur Taluk, Chengalpet District.



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For Petitioner : Mr.G.Vikash Anand

For Respondent : Mr.T.Arunkumar,
Addl. Govt. Pleader

ORDER

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

The Writ of Mandamus has been instituted to forbear the respondent, its employees, agents, men etc., from any manner interfering with the petitioner's private Road situated within the petitioner's Gated Community area located at Survey No.98, Kanathur Reddy Kuppam Village, (Opposite to Mayajal), Thiruporur Taluk, Chengalpet District.

2. The relief as such sought for is absolutely misconceived and not entertainable.

3. The learned Additional Government Pleader would submit that final notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 [hereinafter referred to as "the Act"] came to be issued for eviction of encroachers.

4. The learned counsel for the petitioner would submit that the road portion belong to the petitioner Association.



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5. If at all the petitioner claims any title, ownership in respect of the portion of the property, they have to approach the civil Court of law and the Writ Petition filed to forbear the respondent from exercising their statutory power conferred under the Act cannot be granted.

6. Thus, the Writ Petition is devoid of merits and the same is **dismissed**. It is needless to state that the Authorities while continuing the enforcement actions are bound to follow the procedures as contemplated under the relevant statute and Rules in force. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S.,J.) (K,S.,J.)
23.03.2026

Index: Yes / No
Internet: Yes / No
dsa

To:

The President,
Kanathur Reddy Kuppam Village Panchayat,
Kanathur Reddy Kuppam Village,
Chengalpattu District – 603 112.
Tamil Nadu.

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