



WEB COPY



W.P.No.16653 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.16653 of 2026

and

W.M.P.Nos.17903 & 17907 of 2026

1. V.Nalina
W/o.S.Thirumal
 2. T.Yashwanth
S/o.S.Thirumal
- ... Petitioners

vs.

1. The Revenue Divisional Officer
Chennai South Zone,
Guindy, Chennai-600 032.
 2. Vairamuthu
S/o.P.A.Saravanamuthu
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari, calling for the records leading to pass the impugned proceedings dated 04.04.2026 passed by the 1st respondent in Se.Mu.No.A3/3505/2023 and quash the same.

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For Petitioners : Mr.C.Jagadish
For Respondents : Mr.T.Arunkumar
Additional Government Pleader,
for R1

ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The writ petition has been instituted challenging the order passed by the Revenue Divisional Officer, South Chennai, dated 04.04.2026 for removal of encroachment.

2. In pursuance of the order of the High Court in W.P.No.18538 of 2024, a contempt petition in Cont P.No.2497 of 2025 was filed. This Court directed the authorities to initiate enforcement action. Thus, the Revenue Divisional Officer, conducted an enquiry by issuing a notice to the parties including the petitioners. The enquiry was conducted by the Revenue Divisional Officer on 13.03.2026. Thereafter, the Tahsildar, Alandur, submitted a report, which is also relied on by the Revenue Divisional Officer. Considering the submissions given by the parties and relying on the report submitted by the Tahsildar, Alandur, the impugned order has been passed for removal of encroachment identified.



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3. Mr.C.Jagadish, learned counsel for the petitioners would mainly contend that no statutory notice contemplated under the relevant Act was issued. He would further submit that, without issuing a show cause notice, the enquiry was conducted and thus, the impugned order is to be set aside.

4. This Court is of the considered view that the enquiry has already been conducted. Thus, it is not a case where there is a violation of the principles of natural justice. The petitioners participated in the process of enquiry and gave their statements. Thus, an opportunity was granted to the petitioners to defend their case. Further, in the impugned order, an opportunity is granted to the petitioners to prefer an appeal before the District Revenue Officer, Chennai. That being the factum, the petitioners are at liberty to submit an appeal before the District Revenue Officer, Chennai, within a period of 30 days from today.

5. In the event of preferring any such appeal, the District Revenue Officer, Chennai, shall conduct an enquiry by affording opportunity to all parties, including the petitioners and decide the issues on merits and in accordance with law, within a period of eight weeks from the date of expiry of the period of 30 days granted to the petitioners to prefer the appeal.



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Thereafter, the Revenue Divisional Officer, South Chennai and the District Revenue Officer, Chennai, shall submit a report to the Commissioner, Chennai Corporation, for initiation of enforcement action and for removal of encroachments, if any, identified, without causing any further delay.

6. With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
27.04.2026

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

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To

The Revenue Divisional Officer
Chennai South Zone,
Guindy, Chennai-600 032.

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and
K. SURENDER, J.,**

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