



WEB COPY

WP No. 25185 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 25185 of 2022

G.R.Nagaiyan,
S/o.Kottai D. Govardhanan,
No.1008,10th Floor,
Pearl Block Alliance Orchid Springs,
Waters Canal Road, Korattur, Chennai - 600076.
Rep. by General Power of Attorney Agent
A.Mohamed Raffee
S/o. M.s.Abdul Majeed,
MSM Towers No.3, Yadawal Street,
C.T.H.Road, Padi, Chennai - 600 050.

..Petitioner(s)

Vs

1. The Secretary
Government of Tamilnadu, Corporation and
Municipal Administration Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Secretary,
Government of Tamilnadu, Housing and Urban
Development Department Secretariat,
Fort St.George,
Chennai - 600 009.
3. The Commissioner,
O/o. The Commissioner, Greater Chennai
Corporation, Rippon Building,
Chennai - 600 003.
4. The Managing Director,
O/o. The Managing Director, Tamilnadu
Housing Board, CMDA Complex,
E and C Market Rod, Koyambedu,
Chennai - 600 107.



5. The Executive Engineer,
O/o. The Executive Engineer, Anna Nagar
Zone, Tamilnadu Housing Board,
Thirumangalam,
Chennai - 600 101.
6. The Zonal Engineer -Zone-VII,
Greater Chennai Corporation, 536, Chennai
-Thiruvallur Highway, Ambattur,
Chennai-600 053.
7. The Executive Engineer-Zone-VII,
Greater Chennai Corporation, 536, Chennai
-Thiruvallur Highway, Ambattur,
Chennai-600 053.
8. The Tahsildar,
O/o. The Tahsildar, Ambattur Taluk, Thiruvallur
High Road, Gandhi Nagar, Ambattur,
Chennai - 600 053.
9. Mr.K. Palanivel (DIED),
S/o. Kadarkarai Nadar, No.136, 3rd Street,
TNHB Colony, korattur,
Chennai -600080.
10. Dr.A.G.Rajan M.B.B.S, M.S.,
No.949/2, First Floor, TVS Avenue, Anna
Nagar West Extension,
Chennai 600 101.
11. S.Tamil Selvi,
No.949/2, First Floor, TVS Avenue, Anna
Nagar West Extension, Chennai 600 101.
(R10, R11 Impleaded Vide Order Dated
10.02.2026 made in WMP.31709/2022 in
WP.25185/2022 BY SMSJ, CKJ)
12. S.Arumugam,
S/o. Subramaniya Naicker, No.109, Raja
Street, Padi, Chennai - 600 050.
13. D.Elavarasan,
S/o. Dharmalingam, No.226, Vanniar Street,
Padi, Chennai - 600 050.



(R12, R13 Impleaded vide order dated
10.02.2026 made in WMP.40425/2025 IN
WP.25185/2022 BY SMSJ, CKJ)

14. P.Rajalakshmi,
W/o. K.Palanivel, No.136, 3rd Street, TNHB
Colony, Korattur, Chennai - 600080.
15. S.Geethapriya,
D/o. K.Palanivel, No.81, Varadharaja Perumal
Koil Street, Tondairpet, Chennai - 600081.
16. P.Anitha,
D/o. K.Palanivel, No.136, 3rd Street TNHB
Colony, Korattur, Chennai - 600080.
17. R.Arun Prakash,
S/o. Rathinam, No.136, 3rd Street, TNHB
Colony, Korattur, Chennai - 600080.
18. A.Sangeetha,
S/o. R.Arun Prakash, No.136, 3rd Street,
TNHB Colony, Korattur, Chennai - 600080.
19. A.Sanjay Kumar,
S/o. R.Arun Prakash, No.136, 3rd Street,
TNHB Colony, Korattur, Chennai - 600080.
20. A.Sanjeev Kumar,
S/o. R.Arun Prakash, No.136, 3rd Street,
TNHB Colony, Korattur, Chennai - 600080.

(R14 TO R20 are substituted as LR's of
deceased R9 vide order dated 10.02.2026
made in WMP.2786/2026 IN WP.25185/2022
BY SMSJ, CKJ)

..Respondent(s)

To direct the respondents 3 to 8 to remove the encroachment by way of unauthorized construction consisting of ground floor encroaching the 60 feet wide park road, on the western side, in the land in Old S.No.11/3B3 and New S.No.3B3B, Padi Village, Ambattur Taluk, Chennai, pursuant to the communication dated 07.06.2022, in Letter No.A.Na.Ko/Survey/8487/1976, of



the 5th Respondent addressed to the 8th Respondent, with a copy marked to the 7th Respondent, by considering the representation dated 18.04.2022

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For Petitioner(s): Mr.Murali Kumaran,Senior Counsel
for M/s.McGan Law Firm

For Respondent(s): Mr.T.Arunkumar,
Addl. Govt Pleader for R1, R2 & R8
Mr.D.B.R.Prabhu,
Standing Counsel for GCC
for R3, R6 & R7
Mr.D.Veerasekaran
Standing Counsel
for TNHB for R4 & R5
R9-died
Mr.Srinishmohan
for Mr.N.Sivarajan,
for R10 & R11

Order

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

Writ of Mandamus had been instituted to direct the respondents 3 to 8 to remove the encroachments by way of unauthorized construction consisting of ground floor encroaching the 60 feet wide park road, on the western side, in the land in Old S.No.11/3B3 and New S.No.3B3B, Padi Village, Ambattur Taluk, Chennai, pursuant to the communication dated 07.06.2022 of the 5th Respondent addressed to the 8th Respondent, with a copy marked to the 7th Respondent, by considering the representation dated 18.04.2022.

2. Learned Additional Government Pleader furnished a copy of the order passed by the District Revenue Officer, Chennai, dated 18.07.2025. The District Revenue Officer, had conducted a detailed enquiry by affording



opportunity to all the parties and by recording their statement and considering the documents produced by the parties and found that a dispute exists between the parties and was unable to form an opinion that the subject land is a government land. Therefore, relegated the parties to approach the civil court.

3. Disputed facts relating to civil rights cannot be adjudicated in writ proceedings. Therefore, this Court does not find any infirmity in the order passed by the District Revenue Officer. Granting liberty to the parties to approach the Civil Court, the Writ Petition stands dismissed. No costs.

(S.M.S.,J.) (K.S.,J.)
11-03-2026

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

VSI

To

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Municipal Administration Department,
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Chennai - 600 009.
2. The Secretary,
Government of Tamilnadu, Housing and Urban
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O/o. The Commissioner, Greater Chennai
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