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W.P.Nos. 24389 of 2022 etc.,
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2026

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The Honourable Mr. Justice Krishnan Ramasamy

**W.P.Nos. 24389, 24519, 24521 & 24526 of 2022
and
W.M.P.Nos. 23391, 23477, 23478 & 23482 of 2022**

Johnybasha	...Petitioner in WP.No.24389 of 2022
Elumalai	... Petitioner in W.P.No.24519 of 2022
Aayamma	... Petitioner in W.P.No.24521 of 2022
Kamalakannan	... Petitioner in W.P.No.24526 of 2022

Vs.

1. State of Tamil Nadu
Rep. By its Secretary to Government,
PWD Department, Fort St.George,
Chennai – 600 009.
2. The Collector,
Villupuram District, Villupuram.
3. The Tahsildar,
Gingee, Villupuram.
4. District Revenue Officer,
Villupuram.



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5. Revenue Divisional Officer,
Gingee, Villupuram Taluk.

...Respondents in all petitions

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Common Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to forbear from demolition of the petitioners' houses in Door Nos. 1/1, 1/7, 1/5 & 1/6, Muthalamman Koil Street, Sathyamangalam Village, Gingee Taluk, Villupuram District.

For Petitioners
in all petitions : Mr.M.B.Raghavan
for M/s.M.B.Gopalan Associates

For Respondents
in all petitions : Mrs.S.Anitha
Special Government Pleader

Common Order

These writ petitions have been filed seeking issuance of writ of mandamus, directing the respondents to forbear from demolition of the petitioners' houses in Door Nos. 1/1, 1/7, 1/5 & 1/6, Muthalamman Koil Street, Sathyamangalam Village, Gingee Taluk, Villupuram District.

2. The learned counsel appearing for the petitioners would submit that the petitioners are in possession of the property, in which, they have

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constructed houses and living for the past 40 years. He would submit that the patta has also been issued and subsequently, the petitioners name also entered in the revenue record. While so, some of the Officers of the respondents orally informed the petitioners that they intend to demolish the entire building, since the petitioners' houses are situate in the water body. He would submit that in the present case, there is a Thar road also laid in and around the petitioners' houses therefore, nearby there is no water body at all. It is also stated that not only the petitioners' houses, there are so many houses in the surrounding area and street light has also been provided by the authorities.

3. The learned Special Government Pleader appearing for the respondents would submit that in the present case, since the subject properties were classified as water body, the respondents informed the petitioners about demolition. However, she would fairly submit that patta has also been issued to the petitioners.

4. Heard the learned counsel appearing for the petitioners as well as the respondents and also perused the material available on record.



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5. There is no dispute on the aspect that the petitioners' have been living in the subject property for around 40 years by constructing residential building. The photograph of the area, in which, the petitioners houses are situate has also been produced. It is seen that in and around the petitioners' houses thar road has been laid and in the front side, street light has also been provided. As seen from the photographs produced, it is not only the petitioners' houses, there are many houses situated nearby. A perusal of the same, it is also clear that no sign of water body appears. Admittedly, patta has also been issued to the petitioners. Even if it is a water body, the respondents have to necessarily take steps to remove the entire villages and they suppose to pay compensation for the entire villages and additional compensation for constructing new houses and also by providing new places for the petitioners.

6. Unless the petitioners are evicted in accordance with due process of law by providing land and houses in the alternative places along with payment of compensation for subject land, the respondents are restrained from taking steps to remove the petitioners' from the subject property.



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7. These Writ Petitions are disposed with the above terms. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index : yes/no

Neutral Citation : yes/no

Speaking/Non-speaking order

To

1. The Secretary to Government,
State of Tamil Nadu,
PWD Department, Fort St.George,
Chennai – 600 009.
2. The Collector,
Villupuram District, Villupuram.
3. The Tahsildar,
Gingee, Villupuram.
4. District Revenue Officer,
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Krishnan Ramasamy,J.,

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