



WEB COPY

WP No. 33779 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 33779 & 33780 of 2017

and

WMP NO. 17285 OF 2019, WMP NO. 17279 OF 2019,

WMP NO. 17311 OF 2018, WMP NO. 17310 OF 2018,

WMP NO. 5378 OF 2018, WMP NO. 5379 OF 2018,

WMP NO. 37428 OF 2017,

& WMP No. 37427 OF 2017

W.P.No.33779 of 2017

Sulochana

No.347, Amman Koil Street, Nambakkam Post &
Village, Thiruvallur District 602 023

..Petitioner(s)

Vs

1. The Secretary to Government
Municipal Administrative Department, Govt. of
Tamilnadu, Fort St. George, Chennai-9
2. The District Collector
Collectorate, Thiruvallur District 602 001
3. The Revenue Divisional Officer,
Thiruvallur Division, Thiruvallur 602 001
4. The Tahsildhar
Thiruvallur Division, Thiruvallur 602 001
5. Jayavelu
No.21/12, North Raja Street, Thiruvallur 602
001
6. Traffic Ramaswamy,
S/o.Rangaswamy, No.123, Prakasam Salai,
Iii Floor, Chennai-600 104.
(R6-impleaded as Per Order



Dt.05.02.2018 By MVJ and SVNJ In
WMP.1600/2018 in WP.33779/2017)

7. Mr. Vijay Purushothaman,
Son Of Ellayya, No. 9/2, Golden Treasure
Apartment, Vanagaram, Chennai-95.
(R7 Impleaded Vide Order Dt 05/07/2021
Made In WP.33779/2017 By NKKJ, TVTSJ)

..Respondent(s)

WP No. 33780 of 2017

S.Geetha
No.1, Sri Sabaratnam Street, Rajajipuram,
Thiruvallur District 602 001

..Petitioner(s)

Vs

1. The Secretary to Government
Municipal Administrative Department, Govt. of
Tamilnadu, Fort St. George,
Chennai-9
2. The District Collector
Collectorate,
Thiruvallur District 602 001
3. The Revenue Divisional
Officer, Thiruvallur Division,
Thiruvallur 602 001
4. The Tahsildhar
Thiruvallur Division,
Thiruvallur 602 001
5. Jayavelu
No.21/12, North Raja Street,
Thiruvallur 602 001
6. Traffic Ramaswamy,
S/o.Rangaswamy, No.123, Prakasam Salai,
III Floor,
Chennai-600 104.
(R6-impleaded As Per Order Dt.05.02.2018 By
MVJ And SVNJ in WMP.1601/2018 In
WP.33780/2017)



7. Mr. Vijay Purushothaman,
Son Of Ellayya, No. 9/2, Golden Treasure
Apartment, Vanagaram, Chennai-95.
(R7 Impleaded Vide Order Dt 05/07/2021
made in WP.33780/2017 By NKKJ, TVTSJ)

..Respondent(s)

WP No. 33779 of 2017

To forbear the respondents, their men, agents, servants or subordinates acting on their behalf from in any manner interfering with the peaceful possession and enjoyment or demolishing the petitioners land and building situated in Plot No.74, Sri Balaji Nagar, comprised in Survey No.40/1, New Survey NO.40/1A46 situate in Kakkalur Village, Thiruvallur District, approved by the District Town and Country Planning, Thiruvallur District in its proceedings NO.CSAR/DTCP M 85/83 LP No.16

WP No. 33780 of 2017

To forbear the respondents, their men, agents, servants or subordinates acting on their behalf from in any manner interfering with the peaceful possession and enjoyment or demolishing the petitioners land and building situated in Plot No.75, Sri Balaji Nagar, comprised in Survey No.40/1, New Survey No.40/1A46 situate in Kakkalur Village, Thiruvallur District, approved by the District Town and Country Planning, Thiruvallur District in its proceedings No.CSAR/DTCP M 85/83 LP No.16 dated NIL

WP Nos. 33779 & 33780 of 2017

For Petitioner(s): Ms.R.Maheswari

For Respondent(s): Dr.T.Seenivasan,
Spl.G.P. for R1
Dr.S.Suriya,
Addl.G.P. for R2 to R4
Prof.M.Udhaya Bhanu, for R5
No appearance for R6 & 7

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

The present writ petitions are classic litigation where an attempt has been made to secure title declaration by instituting a writ proceedings under Article 226 of the Constitution of India. In such litigations, findings on title of an immovable property is unnecessary and such a declaratory relief is to be granted only after trial nature proceedings before the competent civil court .

2. The relief sought for in the writ petitions is to forbear the respondents, their men, servants from interfering with the peaceful possession and enjoyment of the subject property as described in the writ proceedings. Such relief in the nature of injunction, cannot be granted by the writ court in exercise of powers of judicial review, in the absence of effective adjudication, based on the original documents and evidences, including oral evidence. Thus, certain interim protective order granted by the High court would not be a ground to grant a permanent relief of declaration of title in respect of an immovable property.

3. Learned counsel for the petitioner would urge this Court by stating that such interim protection is granted only to a limited extent to ensure the competent authority to follow the procedure under the relevant statute and rules in force and not for declaring the title or ownership of an immovable property.

4. In this view of the matter, the petitioner may approach the competent civil court for the purpose of establishing title.

5. Learned Special Government Pleader would submit that the subject



property is OSR land. Therefore, under the provisions of the Town and Country Planning Act, the land vests with the government/ local authority and to be utilised for public purpose.

6. In any event, the relief as such sought for in the present writ petitions are not entertainable. Thus, the Writ Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (K.S.,J.)
02-04-2026

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

VSI

To

1. The Secretary to Government
Municipal Administrative Department,
Govt. of Tamilnadu, Fort St. George,
Chennai-9
2. The District Collector
Collectorate, Thiruvallur District 602 001
3. The Revenue Divisional
Officer, Thiruvallur Division,
Thiruvallur 602 001
4. The Tahsildhar
Thiruvallur Division, Thiruvallur 602 001



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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

vsi

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