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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 307 of 2024

S.Velmani

..Petitioner(s)

Vs

1. The State Of Tamil Nadu,
By Secretary, Department Of Urban
Development, Fort St. George,
Chennai – 600009.
2. The Managing Director,
The Tamil Nadu Housing Board, Chennai.
3. The Executive Engineer And Administrative
Officer,
The Tamil Nadu Housing Board, Villupuram
Division, East Pandy Road, Maharajapuram,
Villupuram - 605 602.
4. The Tahsildar,
Cuddalore Taluk, Cuddalore-607001.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India
issuing a writ of certiorari calling for records and quash the proceeding of 3rd
respondent in Ka.No. Se.Po(Ma) Ni Aka 1/2023 dated 29.11.2023.

For Petitioner(s): Mr.D.Baskar

For Respondent(s): Mr.T.Arunkumar
Additional Government Pleader For R1 And R4
No appearance R2 And R3

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

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The interdepartmental communication dated 29.11.2023 issued by the Executive Engineer cum Administrative Officer, Villupuram Housing Board Division addressed to Tahsildar, Cuddalore, and a copy marked to the petitioner is under challenge in the present writ petition.

2. Perusal of the said interdepartmental proceeding to show that the petitioner encroached upon the land belongs to the Tamil Nadu Housing Board and commenced construction activities. Housing Board sent a notice on 22.09.2023, which is referred in the impugned order, and despite the notice, petitioner failed to vacate the encroachment. Thus, the impugned letter has been addressed to the Tahsildar for initiation enforcement action under the relevant provisions of the Statutes and Rules.

3. In view of the fact that said impugned communication was issued on 20.11.2023, and an earlier notice was sent by Tamil Nadu Housing Board on 22.09.2023 to the petitioner, and considering the fact that three years lapsed, the impugned order shall be treated as a show cause notice, and in response to the said notice, petitioner is at liberty to submit his explanations, along with the documents, if any, within a period of two weeks from the date of receipt of a copy of this order. On receipt of any such explanation, competent



authority/respondent shall consider the same, taken a final decision and if any encroachments are identified, then proceed with the enforcement action by following the procedure as contemplated under law. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.S.,J.)
24-03-2026

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

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To

1. The State Of Tamil Nadu,
By Secretary, Department Of Urban
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600009.
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

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