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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 41242 of 2025 AND WP NO. 41243 OF 2025

A.Jaivel, S/o.T.K.Amirthalingam,
No.12a, Iyyappan Street,
Anakaputur Chennai-70.

..Petitioner(s)

Vs

1. Government Of Tamil Nadu Rep By Its Secretary Public Works Department, Fort St. George, Chennai-9.
2. The District Collector Chengalpet District.
3. The Thasildar Pallavaram Taluk Office, Chengalpet District.
4. The Assistant Engineer Public Works Department, Water Resources Organization Adyar Irrigation Division, St Thomas Mount Chennai-15.
5. The Member Secretary Chennai Metropolitan Development Authority, Chennai.
6. The Commissioner, Tambaram Corporation, Chengalpet District.

... Respondents

W.P.No. 41243 of 2025

A.Sakthivel, S/o.Amirthalaignam, No.103/52,
Dr.Besant Road, Royapettah, Chennai-14.

..Petitioner(s)

Vs

1. Government Of Tamil Nadu Rep By Its Secretary Public Works Department, Fort St. George, Chennai-9.
2. The District Collector Chengalpet District.
3. The Thasildar Pallavaram Taluk Office, Chengalpet District.
4. The Assistant Engineer Public Works Department, Water Resources Organization Adyar Irrigation Division, St Thomas Mount Chennai-15.
5. The Member Secretary, Chennai Metropolitan Development Authority, Chennai.



6. The Commissioner Tambaram Corporation,
Chengalpet District.

..Respondent(s)

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Directing the respondents to restore the possession of the property measuring an extent of 1467 sq.ft in bearing door no.5, Shanthi Nagar Mani Road, Anakaputhru, Chennai-70 which is situate in Plot No.3 comprised in survey No.136 in Anakaputhur village, Saidapet Taluk, Chennai district and consequently direct the respondents to indemnify and compensate the loss of the value of the building as per the PWD rate of at Rs.30,00,000/- incurred to the petitioner and an amount of Rs.15,000/- per month payable from 27.05.2025 until the possession of the above said property is restored to the petitioners towards loss of rental income and an amount of Rs.10,00,000/- toward mental agony and pain

WP No. 41243 of 2025

Directing the respondents to restore the possession of the property measuring an extent of 1476 sq.ft in situate in Plot No.4 comprised in Survey No.136 in Anakaputhur Village, Old Saidapet Taluk and New Pallavaram taluk Chengalpatut district

WP No. 41242 of 2025

For Petitioner(s):	Mr.R.Chandrasudan
For Respondent(s):	Mr.A.Selvendiran, Sgp For Rr1 To 4. Ms.S.Mridula Royan, Standing Counsel For Cmda For R5.

COMMON ORDER

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

Writ of Mandamus has been instituted to direct the respondents to restore the possession of the property measuring an extent of 1467 sq.ft in bearing Door No.5, Shanthi Nagar Mani Road, Anakaputhur, Chennai-70, which is situate in Plot No.3, comprised in Survey No.136 in Anakaputhur Village, Saidapet Taluk, Chennai district and consequently direct the



respondents to indemnify and compensate the loss of the value of the building as per the PWD rate of at Rs.30,00,000/-, incurred to the petitioner and an amount of Rs.15,000/- per month payable from 27.05.2025 until the possession of the above said property is restored to the petitioner towards loss of rental income and an amount of Rs.10,00,000/- towards mental agony and pain.

2. Admittedly, the petitioners were evicted from the subject land, which is classified as water body.

3. Learned Special Government Pleader appearing for the respondents 1 to 4 would submit that all 191 encroachers, who were found and identified as encroachers in water body have been evicted, including the petitioners. That being so, the relief as such sought for by them in the present with petitions cannot be granted.

4. Learned counsel for the petitioners would submit that they are claiming civil rights over the property. However, civil rights are to be established through documents and evidences before the appropriate Court of Law. Writ Court cannot adjudicate disputed facts relating to title. More so, encroachers identified were already removed. That being the factum, the present writ petitions are devoid of merits and liable to be dismissed.



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Accordingly, these Writ Petitions stand dismissed. No costs.

(S.M.S.,J.) (C.K.,J.)
19-01-2026

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

1. The Secretary,
Government of Tamil Nadu,
Public Works Department,
Fort St.George, Chennai-9.
2. The District Collector,
Chengalpet District.
3. The Thasildar,
Pallavaram Taluk Office, Chengalpet District.
4. The Asisstant Engineer,
Public Works Department,
Water Resources Organization,
Adyar Irrigation Division,
St Thomas Mount Chennai-15.
5. The Member Secretary,
Chennai Metropolitan Development Authority,
Chennai.
6. The Commissioner,
Tambaram Corporation,
Chengalpet District.



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**S.M.SUBRAMANIAM J.
AND
C.KUMARAPPAN J.**
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