Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

AND

THE HON'BLE MR.JUSTICE GK.MUTHUKUMAAR

WP Nos. 43495 & 43499 of 2026

CNR:{HCMA012561312026}

& WMP No. 48810 of 2026

1. C.Utharaikumari
2. C.Surendran
3. S.Nithya
4. C.Sudhakar
5. S.Hema
6. R.Subhashini

..Petitioner(s)

Vs

1. The District Collector,
   First Floor, Collectorate,
   Tiruvallur – 602 001.
2. The District Revenue Officer (DRO),
   Collectorate of Tiruvallur, Tiruvallur – 602 001.
3. The Sub Collector/Revenue Divisional Officer,
   Revenue Division Office, Ponneri,
   Tiruvallur – 601 204.
4. The Tahsildar,
   Ponneri Taluk, Ponneri,
   Tiruvallur - 601204.
5. The Head Surveyor,
   Office of Ponneri Taluk,
   Ponneri, Tiruvallur – 601 204.

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6. Revenue Inspector,
   Redhills Firka,
   Redhills, Chennai – 600 052.

..Respondent(s)

WP No. 43499 of 2026

CNR:{HCMA012561322026}

1. C. Utharaikumari

2. C.Surendran

3. S.Nithya

4. C.Sudhakar,

5. S.Hema

6. R.Subhashini

..Petitioner(s)

Vs

1. The District Collector,
   First Floor, Collectorate,
   Tiruvallur – 602001.

2. The District Revenue Officer (DRO),
   Collectorate of Tiruvallur,
   Tiruvallur - 602001.

3. The Sub Collector/Revenue Divisional Officer,
   Revenue Division Office, Ponneri,
   Tiruvallur - 601204.

4. The Tahsildar,
   Ponneri Taluk, ponneri,
   Tiruvallur - 601204.

5. The Head Surveyor,
   office of Ponneri taluk,
   Ponneri, Tiruvallur – 601 204.

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6. Revenue Inspector,
   Redhills Firka,
   Redhills, chennai - 600052.

..Respondent(s)

Prayer in WP/43495/2026: The Writ Petition is filed under Section 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in proceedings Na.Ka.No.21647611/2026/A3 dated 14.08.2026 and to quash the portion of the said proceedings directing the 4th respondent to remove a portion of 'Tile House' godown of the petitioners allegedly encroaching upon survey No.93/3B, Lyongrand Village, Ponneri Taluk, Tiruvallur District.

Prayer in WP/43499/2026: The Writ Petition is filed under Section 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the records of the 4th respondent in notice Na.Ka.No.3161/2025/A3 dated 15.10.2026 and to quash the said notice informing the petitioners that on the morning of 23.10.2026 at 10.00 AM, the respondents (Revenue Authorities) in the presence of the Police Department, are schedule to remove a portion of 'Tile House' godown of the petitioners allegedly encroaching upon survey No.93/3B, Lyongrand Village, Ponneri Taluk, Tiruvallur District.

For Petitioner(s): Ms.L.Leela Raman
For Respondent(s): Mr. K. Surendar,
Special Government Pleader

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COMMON ORDER

(Order of the Court was made by Sunder Mohan J.)

The WP.No.43495/2026 challenges the order dated 14.08.2026 passed in Na.Ka.No.21647611/2026/A3 insofar as it directs the petitioner to vacate the godown situated at S.No.93/3B measuring to an extent of 0.03.78 hectares. Pursuant to the impugned order in W.P.No.43495/2026, an eviction notice has been issued, which is challenged in W.P.No.43499/2026. Hence, the following common order is passed.

2.The learned counsel for the petitioner would submit that by the impugned order, the first respondent had directed the authorities concerned to examine whether the land compromised in S.No.93/2A falls in Government poromboke land and take action accordingly. However, the first respondent had observed that the petitioner is in illegal occupation of S.No.93/3B and had directed eviction without following the procedure provided under Tamil Nadu Land Encroachment Act, 1905.

3.The learned Special Government Pleader fairly concedes that the order in respect of S.No.93/3B directing the petitioner to vacate cannot be justified, since the procedure contemplated under the Act has not been followed.

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4.There is no challenge to the other portions of the impugned order.

5.In view of the submissions made on either side, the portion of the impugned order insofar it directs the petitioner to vacate from land in S.No.93/3B is set aside with liberty to the respondent to take action in accordance with the procedure contemplated under Tamil Nadu Land Encroachment Act, 1905. It is needless to say that before taking any further action, the respondents shall conduct a survey of the said land, demarcate it and then proceed.

6.Accordingly, the Writ Petitions are partly allowed.

(S.M.,J.) (G.K.M.,J.)
23-10-2026

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

TSG

To

1. The District Collector,
   First Floor, Collectorate,
   Tiruvallur – 602 001.

2. The District Revenue Officer (DRO),
   Collectorate of Tiruvallur, Tiruvallur – 602 001.

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3. The Sub Collector/Revenue Divisional Officer,
   Revenue Division Office, Ponneri,
   Tiruvallur – 601 204.

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   Ponneri Taluk, Ponneri,
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