



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 42942 of 2025

and

WMP Nos. 48038, 48039 & 48041 of 2025

1. R.Ajay Kumar
S/o. C.Rajendra Kumar,
No. 3/36 Mount Poonamallee Road,
St. Thomas Mount Chennai 16
2. B.Sunil Agarwal
S/o. C.Baser Lal, No. 113 Butt Road,
St. Thomas Mount Chennai 16
3. S.Dheeraj Kumar
S/o. C.Shyam Sundar , No. 107 Butt Road, St.
Thomas Mount Chennai 16
4. S.Tushar Agarwal
S/o. Suresh Kumar Agarwal,
No. 82 , 8th Street Ak Swamy Nagar,
Secretariat Colony Kilpauk Chennai 10
5. Jai Kisshan Garg
S/o. Baser Lal , No. 113 Butt Road,
St. Thomas Mount Chennai 16

..Petitioner(s)

Vs

1. The State Of Tamilnadu
Rep. By Its Secretary to Government,
Revenue And Disaster Management
Department Fort St.George Secretariat
Chennai 600 009
2. The District Collector
Chengalpet District, Chengalpet District
Collector Office, Chengalpet



3. The Revenue Divisional Officer
Chengalpet Taluk, Chengalpet District

4. The Thasildar
Chengalpet Taluk, Chengalpet District

5. The Revenue Inspector
Chengalpet Taluk, Chengalpet District

..Respondent(s)

To direct the respondents to remove the placard placed in the petitioners property situated at Grama Natham New Survey No. 160/20, 160/21 (admeasuring 6776 sq.ft) Grama Natham New Survey No. 160/22A (admeasuring 1320 sq.ft) , Grama Natham New Survey No. 160/25(admeasuring 1022 sq.ft) Grama Natham New Survey No. 160/26(admeasuring 13,519 sq.ft) , Old Survey No. 79/2 (part) situated in Veerapuram village, Chengalpet taluk, Chengalpet district and consequently forbear the respondents from interfering with the petitioners peaceful possession of the said property and further direct the respondents to pay compensation to the petitioners for the illegal demolition of the compound wall and shed structure at the said property.

WP No. 42942 of 2025

For Petitioner(s): Mr.C.Adithyaraj

For Respondent(s): Mr.R.Ramanlal
Additional Advocate General
assisted by
Mr.R.P.Murugan Raja,
Govt.Advocate

Order

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

Writ of Mandamus has been instituted to direct the respondents to remove the placard placed in the petitioners property situated at Grama Natham New Survey No. 160/20, 160/21 (admeasuring 6776 sq.ft) Grama



Natham New Survey No. 160/22A (admeasuring 1320 sq.ft) , Grama Natham New Survey No. 160/25(admeasuring 1022 sq.ft) Grama Natham New Survey No. 160/26(admeasuring 13,519 sq.ft) , Old Survey No. 79/2 (part) situated in Veerapuram village, Chengalpet taluk, Chengalpet district and consequently forbear the respondents from interfering with the petitioners peaceful possession of the said property and further direct the respondents to pay compensation to the petitioners for the illegal demolition of the compound wall and shed structure at the said property.

2. Learned Additional Advocate General appearing on behalf of the State would submit that large scale of encroachments in government poromboke lands are identified and such encroachments are made by some persons on account of skyrocketing of market value of property nearby Chennai City areas. The subject property falls within Chengalpet District and already a portion of encroachments are removed by the competent authority and the remaining portions have to be removed and resumed after evicting the encroachers.

3. Learned counsel for the petitioner would submit that the petitioners are possessing sale deeds and other documents to establish their title in respect of the subject property. That apart, the subject land is classified as village gramanatham and the petitioners are in occupation and they became the absolute owner of the property.

4. The said concept as advanced by the petitioners deserves no merit consideration, since gramanatham lands are to be regulated by the



Government under RSO 21 and mere occupation of gramanatham land would not confer title to a person.

WEB COPY

5. The counter affidavit filed by the Tahsildar, Chengalpet Taluk, would show that an extent of about 50 cents in S.No.160/260 has been continuously used by more than 100 years by the villagers of Veerapuram as common village land for public gatherings, temple festivals, youth sports activities and public functions. The said land is Government Poramboke and meant for public use. It is further contended that the petitioners are recent encroachers and they are habitually encroaching upon government land for personal gain and therefore, the authorities had initiated action. It is further contended that on receipt of complaint from the Panchayat President and local residents, inspection was conducted by the Revenue Inspector and Village Revenue Officer, to confirm the recent encroachments. Accordingly, notice under section 7 of the Tamilnadu Land Encroachment Act, 1905 was issued and called upon the encroachers to show cause. Despite receipt of notice, the petitioners attempted to strengthen the encroachments by putting up additional structures. Under those circumstances, after completing the procedures, by issuing show cause notice and by affording an opportunity to the encroachers, the portion of encroachments have already been removed. In respect of other encroachments, the authorities are under the process of completing the procedures for its removal.

6. The Government authorities are expected to be vigilant in protecting the government property which is to be utilised for public purpose.



Encroachments in any form in respect of public properties, at no circumstance be allowed. While removing the encroachments, the authorities are bound to follow the procedures as contemplated under the relevant statutes and rules.

7. In the present case, Section 7 notice came to be issued. In respect of other portion, which are yet to be resumed, the authorities are directed to follow the procedures and thereafter, remove the encroachments and utilise the government land for public purpose. The authorities who are all committing lapse, negligence and dereliction of duty in protecting the government properties are to be prosecuted and subjected to disciplinary proceedings.

8. The official respondents are directed to remove all the encroachments by following the procedures as contemplated under the relevant statutes and rules within a period of four months from the date of receipt of a copy of this order

9. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected WMP.No.48038 of 2025 is ordered on payment of separate court fee and W.M.P.Nos.48039 & 48041 of 2025 are closed.

(S.M.S.,J.) (K.S.,J.)
09-04-2026

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

vsi



To

WEB CO

1. The Secretary To Government, Revenue And
Disaster Management Department Fort
St.George Secretariat Chennai 600 009
2. The District Collector
Chengalpet District, Chengalpet District
Collector Office, Chengalpet
3. The Revenue Divisional Officer
Chengalpet Taluk, Chengalpet District
4. The Thasildar
Chengalpet Taluk, Chengalpet District
5. The Revenue Inspector
Chengalpet Taluk, Chengalpet District

WP No. 42942 of 2





WEB COPY

WP No. 42942 of 2



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

vsi

**WP No. 42942 of 2025
and
WMP Nos. 48038, 48039
& 48041 of 2025**

09-04-2026