



W.P.No.49071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

**W.P.No.49071 of 2025
and
W.M.P.No.54815 of 2025**

1. R.Pushpa

2. V.K.Ramamoorthy

... Petitioners

vs.

1. The District Collector
Office of the District Collector
Tiruvallur District
2. The Thasildar
Pallipet Taluk
Thiruvallur District – 631 207
3. Block Development Officer
Pallipet Taluk
Thiruvallur District – 631 207
4. The Village Administrative Officer
Thriumalrajupet Village
Pallipet Taluk
Thiruvallur District – 631 207

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5. S.Gowtham

6. S.Kishore Kumar

7. N.Sudharshan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 1st and 2nd respondents herein to remove the encroachments made by the private respondents 5 to 7 herein in public lands and waterbodies in S.Nos. 52 measuring HC 0.47.5 , S.No. 53 measuring HC 0.24.5 , S.No. 54/6 measuring HC 0.15.0, S.No. 56/8 measuring HC 0.04.5 , S.No. 56/17 measuring HC 0.02.0, S.No. 56/20 measuring HC 0.15.5, S.No. 57 measuring HC 0.20.0 , S.No. 109 measuring HC 0.30.5 and S.No. 108 measuring HC 0.29.5 , and S.No.176 measuring an extent of Hc. 5.21.0 in Thirumalrajpet Village and panchayat falling within Perumanallur Hamlet, Pallipet Taluk, Thiruvallur District and following such removal of the encroachment to restore the water bodies and water channel and to restore access to the public temple in S No. 56/20.

(Prayer amended vide order dated 06.04.2026 made in W.M.P.No.7268 of 2026 in the above writ petition)

For Petitioner : Mr.P.Dinesh Kumar

For Respondents : Mr.T.Arunkumar
Additional Government Pleader
for R1, 2 and 4

Dr.S.Suriya
Additional Govt. Pleader for R3

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R5 and R7- No Appearance
R6 – Not ready in notice

ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The writ of mandamus has been instituted seeking a direction against Respondents 1 and 2 to remove the encroachment made by Respondents 5 to 7 in public lands and water bodies and to restore access to the public temple in S No. 56/20.

2. The Tahsildar, Pallipet Taluk conducted inspection and survey and identified encroachments in the subject properties. The counter filed by the Tahsildar would show the extent of encroachments made by the private persons. Paragraphs 2 and 3 of the counter read as follows:

“2. It is submitted that the petitioners have filed this writ petition before this Hon’ble Court with a prayer to direct the respondents 1 and 2 to remove the encroachments made by the private respondents 5 to 7 herein in public lands and waterbodies in S.No.52, 53, 54/6, 56/8, 56/17, 56/20, 57, 109 and 108 in Tirumalrajpet Village H/o Perumanallur Village, Pallipattu Taluk, Tiruvallur District and following such removal of encroachments, to



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restore the water bodies and water channel and to restore to the public temple in S.No.56/20.

3. It is submitted that the details of classification, extent, encroachments and action taken by the 2nd respondent in respect of the poramboke survey numbers covered in the writ petition are furnished below:

S.No.	Survey No.	Classification	Extent (in Hects)	Encroachment Extent (in Hects.)	Name of the Patadar	Remarks	Action taken by the 2 nd respondent
1	52	Government Poramboke	0.47.50	0.19.78	Sudhakar S/o.Narasimmalu Naidu	Odai	No.7 Notice under Act, 1905 was issued on 08.09.2025 and No.6 Notice was issued on 11.02.2026
2	53	Government Poramboke	0.24.50	0.24.50	Paapi Naidu S/o. Gurreppa Naidu	Odai	No.7 Notice issued on 07.01.2026 and No.6 Notice was issued on 06.03.2026
3	54/6	Government Poramboke	0.15.00	0.15.00	Sudhakar S/o.Narasimmalu Naidu and Gowtham S/o.Sudhakar Naidu	Kuttai	Encroachment was evicted
4	56/8	Government Poramboke	0.04.5	No Encroachment		Parai	
5	56/17	Government Poramboke	0.02.00	0.02.00	Babu S/o.Sriramalu	Well	No.6 Notice was issued on 11.02.2026
6	56/20	Government Poramboke	0.17.50	0.17.50	Sudhakar S/o. Narasimmalu Naidu and Gowtham S/o.Sudhakar Naidu	Village site	Encroachment was evicted
7	57	Government Poramboke	0.20.0	0.12.00	Sudhakar S/o.Narasimmalu	Chennai	No.7 notices were issued on 08.09.2025 and



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					Naidu and Gowtham S/o.Sudhakar Naidu and Kothandam S/o.Venkatarama Naidu		No.6 Notices was issued on 29.09.2025
8	108	Government Poramboke	0.29.50	0.07.50	Sudhakar S/o. Narasimmalu Naidu	Channel	Part Encroachment was removed
9	109	Government Poramboke	0.30.50	0.00.80	Sudhakar S/o. Narasimmalu Naidu	Channel	No.7 Notice was issued on 06.01.2025 and No.6 Notices was issued on 29.09.2025

3. The learned counsel for the writ petitioner would submit that the encroachments stated as removed is also incorrect. It is needless to state that on identification of the encroachments, the authorities are bound to follow the procedure and remove the same, if it is in Government Poramboke land or in water body.

4. In view of the above factum, the official respondents are directed to continue the enforcement action already initiated and remove the encroachment by following the procedures as contemplated under the relevant Statute and Rules. The above exercise to be completed within a period of 12 weeks from the date of receipt of a copy of this order.



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With the above direction, this writ petition stands disposed of.

Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
06.04.2026
(3/3)

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



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To

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