



W.P.No.20378 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

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CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.20378 of 2025

and

W.M.P.No.22967 of 2025

M/s.Hides and Skins India Private Limited

Represented by its Managing Director

R.Balachandar

...Petitioner

Vs

1. The Water Resources Department

Represented by its Secretary to Government

Government of Tamil Nadu

Fort St.Geroge,

Chennai-600 009.

2. The Greater Chennai Corporation

Represented by its Commissioner

Ripon Building, Chennai-600 003.

...Respondents

For Petitioner :

Mr.Vijay Narayan

Senior Counsel for Mr.Abishek Jenasenan

For Respondents :

Mr.T.K.Saravanan

Additional Government Pleader, for R1

Mr.Ragul Adhithya

for Ms.P.T.Ramadevi, for R2

ORDER



W.P.No.20378 of 2025

(Order of the Court was made by **M.SUNDAR, J.,**)

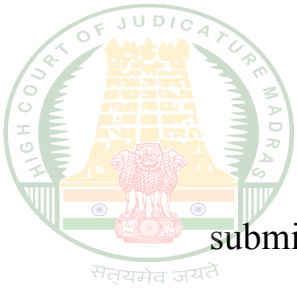
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Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 09.06.2025.

2. Adverting to the aforementioned proceedings, both learned State Counsel submit that layout approval is not available in their files.

3. Subject matter of the captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity, convenience and clarity} is 'vacant land comprised in Old T.S.No.1 New T.S.No.1/1, Paimash No.59, Block No.5, Venkatapuram Village, Adyar Jameen, Guindy Taluk, Chennai District' {hereinafter 'said land' for the sake of brevity, convenience and clarity}.

4. Mr.Vijay Narayan, learned Senior Counsel appearing on behalf of Mr.Abishek Jenasenan, learned counsel on record for writ petitioner submitted that Ryotwari Patta was granted to one J.Chitha Ranga Raju, Son of J.Selvaranga Bagh by the jurisdictional Assistant Settlement Officer in and by an order dated 15.01.1965 made in R.P.4/18C4/Revision/MDS/64 under Section 18(4) of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948. It is



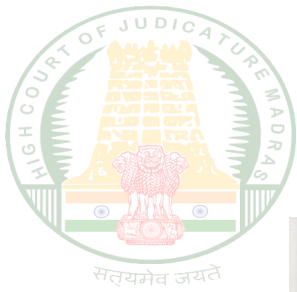
W.P.No.20378 of 2025

submitted that J.Selvaranga Bagh name has been wrongly mentioned and it should read as Selvaranga Raju. We express no opinion on this at this juncture.

5. It is further submitted that one son and daughter of Selvaranga Raju executed a lease deed dated 09.02.2009 in favour of writ petitioner. Selvaranga Raju executed another lease deed dated 15.11.2011 in favour of writ petitioner. Both lease deeds are qua said land and demised lands admeasure 23.5 grounds each.

6. It is submitted that the only access to said land has been blocked owing to R2 putting up a fence in the presence of R1.

7. Learned State Counsel submits that a Public Interest Litigation vide W.P.No.19253 of 2022 was filed and the same came to be disposed of by an order dated 25.01.2023. A scanned reproduction of order dated 25.01.2023 in W.P.No.19253 of 2022 is as follows:



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W.P.No.20378 of 2025



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W.P.No.19253 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.19253 of 2022

and

W.M.P.No.18529 of 2022

Citizens Forum,
#20 Ganapathy Nagar,
Vijayarani Garden,
Korattur,
Chennai – 600 099.

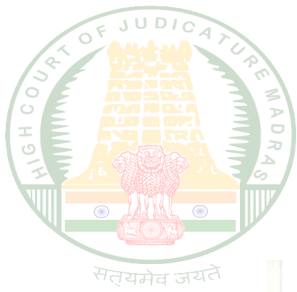
... Petitioner

Versus

- 1.The State of Tamilnadu,
Rep.by its Secretary to Government,
Revenue and Disaster Management Department,
Fort St.George,
Chennai – 600 009.
- 2.Tamilnadu Urban Habitat Development Board,
Rep.by its Managing Director,
No.5, Kamarajar Salai,
Chepauk, Near Vivekananda House,
Chennai – 600 005.

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3.The Greater Chennai Corporation,
Rep.by its Commissioner,
Amma Maligai,
Ripon Building Campus,
Chennai – 600 003.

4.Tamilnadu Pollution Control Board,
Rep.by its Member Secretary,
No.76, Mount Road,
Guindy,
Chennai – 600 032.

... Respondents

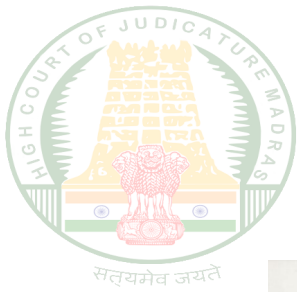
Writ Petition filed under Article 226 of the Constitution of India,
praying to issue a Writ of Mandamus directing the respondents herein to
evict the encroachers in the banks of the Adayar River in accordance with
law falling within the lands which are morefully set out in a tabulated form
along with the Writ Petition.

For Petitioner :: Mr.G.Vivekanand

For Respondents :: Mr.J.Ravindran, AAG.
Assist by Mr.A.Selvendran, Spl.GP.

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W.P.No.20378 of 2025



W.P.No.19253 of 2022

ORDER

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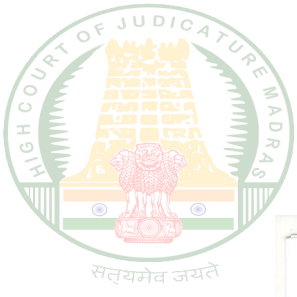
The Petitioner, which is a Non-Governmental Organisation, has filed the Public Interest Litigation praying to consider their representations dated 01.06.2022 and 16.06.2022 and to direct the respondents to evict the encroachers in the Banks of Adayar River in accordance with the law in respect of the following lands:-

Sl.No.	Dn.No.	Zone No.	Name of the Slum
1.	171	13	Sathya Nagar
2.	170	13	Nagi Reddy Thottam
3.	172	13	Dr.Ambaekar Nagar
4.	172	13	Water Tank Colony
5.	172	13	Muthu Mariamman Koil Street
6.	137	10	Kanu Nagar
7.	138	10	Allatchiamman Koil Street
8.	158	12	J.J Nagar

2. The brief facts leading to the filing of this Writ Petition is that there has been encroachments along the banks of the river Adayar in the land classified as River/River Bank in Chennai Corporation Zone Nos.10, 12, 13, and Division Nos.137, 138, 158, 170, 171, and 172. These

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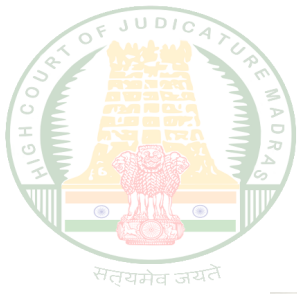
W.P.No.20378 of 2025

W.P.No.19253 of 2022

encroachments affect the health of the river by polluting and preventing the free flow of water into the river as well as to the flood, causing grave environmental concern and shrinking of the river, which is one of the life lines of the city of Chennai. This apart, the person and property of these encroachers are also at risk and every now and then, these tenaments get submerged due to excess flow of water, posing grave risk to the human life and society at large. Therefore, a proper eviction drive was conducted through the second respondent, namely, the Tamil Nadu Urban Habitat and Development Board and due enumeration of encroachments had already taken place and after following biometric system a total of 1596 encroachers were indentified for relocation to the tenaments of the second respondent in Okkiyam Thuraipakkam or Perumbakkam as per the availability. Even though the said exercise was making progress, only about 20% to 30% of the beneficiaries were relocated. The said exercise lost steam and rest of the encroachers are still in the river. This apart, taking advantage of the fact that the enumeration was done and alternative tenament is being provided, recent unauthorised mushrooming of the encroachments are also taking place hoping to unduly receive the benefit of relocation, therefore, the above

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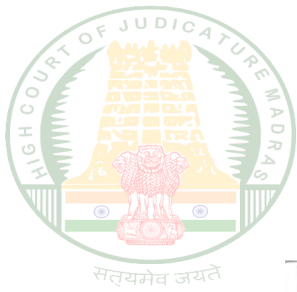
3. When the matter is taken up for hearing, Mr. J. Ravindren, Learned Additional Advocate General, appearing for the respondents would submit that the respondents are equally interested in removal of the encroachments and completion of the relocation of the eligible persons and eviction of the other unauthorised occupants. He would submit that if some reasonable time is given, the process of relocating the beneficiaries and simultaneously evicting other unauthorised occupants by following due process of law will be undertaken and prayed for granting 6 to 8 weeks time to complete the process.

4. In view of the submissions made by the learned Additional Advocate General, the above Writ Petition is allowed on the following terms:-

(i) The respondents shall take immediate steps to complete the relocation process in respect of the balance of the 1596 enumerated encroachers within a period of eight weeks from the date of receipt of a

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W.P.No.20378 of 2025



copy of this order;

W.P.No.19253 of 2022

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(ii) The respondents shall also immediately survey as to the other encroachments in the respective Zones/Divisions and complete the process of identification, within a period of two weeks and issue notices to them in the manner known to law and complete the process of eviction within a period of eight weeks from the date of receipt of the notice;

(iii) After due removal of the encroachments, the river area / river bank area shall be continuously monitored by the authorities concerned so as to prevent any future encroachments of any nature, whatsoever;

(iv) No Costs. Consequently, the connected miscellaneous petition is closed.

(T.R.,A.C.J.) (D.B.C, J.)
25.01.2023

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8. The above was followed by a contempt petition in Contempt



W.P.No.20378 of 2025

Petition No.1773 of 2023 and the same came to be closed on 27.03.2025.

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Petition No.1773 of 2023 is as follows:

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Cont.P.No.1773 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :27.03.2025

Coram:

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Cont.P.No.1773 of 2023

Citizens Forum,
20, Ganapathy Nagar,
Korattur,
Chennai 600 099,
Represented by its Founder
Trustee S.Krishna Kumar ..Contempt Petitioner/Petitioner

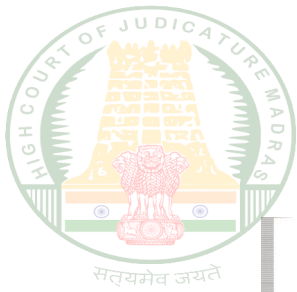
/versus/

1.Mr.Kumar Jayant, IAS,
Secretary to Government,
Revenue and Disaster Management Department,
State of Tamil Nadu, having office at
Fort St.George, Chennai 600 009.

2.Dr.P.Sankar,
Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,Chepauk,
Near Vivekananda House,
Chennai 600 005.

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W.P.No.20378 of 2025

Cont.P.No.1773 of 2023

3.Mr.J.Radhakrishnan, IAS,
Commissioner, The Greater Chennai Corporation,
Amma Maligai, Rippon Building Campus,
Chennai 600 003.

4.Thiru.R.Kannan,
Member Secretary, Tamil Nadu Pollution Control Board,
No.76, Mount Road, Guindy,
Chennai 600 032.

.. Respondents/Respondents

Contempt Petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondents herein jointly and severally for committing contempt of Court for wilfully violating and disobeying the order and judgment dated 25.01.2023, passed in W.P.No.19253 of 2022 under Section 12 of the Contempt of Court Act.

For Petitioner :Ms. V.Lavanya

for Mr.G.Vivekanand

For Respondents :Mr.A.Selvendran, Spl.G.P. for R1

Mr.S.Karthikeyan, Standing Counsel for R2

Mr.J.Ravindran, AAG Assisted by

Mr.A.Arun Babu, SC (Corp.) For R3

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W.P.No.20378 of 2025



Cont.P.No.1773 of 2023

ORDER

(Order of the Court was delivered by R.SUBRAMANIAN,J.)

It is now stated that all the encroachments have been removed; compliance has been reported and the photographs have been taken on file. The Contempt Petition is closed. There shall be a direction to the authorities to maintain the entire area free of encroachment in the future. If there is any encroachment in the future, the petitioner shall be entitled to move again for contempt.

[R.S.M.J.]

[D.B.C.J.]

27.03.2025

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9. Learned State Counsel submits that fencing is a part of removal of encroachment. At this juncture, we do not express any opinion on this. We plough into this as the matter progresses. It comes to light that (i) the Commissioner of Land Administration, Ezhilagam, Chennai-600 005 and (ii) the Revenue Divisional Officer, Chennai South, Guindy, Chennai-600 032 need to be impleaded. We suomotu implead (i) the Commissioner of Land Administration, Ezhilagam, Chennai-600 005 and (ii) the Revenue Divisional Officer, Chennai South, Guindy, Chennai-600 032 as R3 and R4 respectively. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice for R3 and R4 also.

10. We requisition two separate reports, one from R3 and another from R4 *inter alia* adverting to the following points:

(i) Survey number which was the subject matter of the aforementioned W.P.No.19253 of 2022 and Contempt Petition No.1773 of 2023;

(ii) Whether the order of Settlement Tahsildar has become final;

(iii) Revenue records as regards layout and approval, if any;



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(iv) The basis on which fence has been put
up by R2 in the presence of R1;

(v) Whether there is any other alternate
access to said land.

11. Reports of R3 and R4 shall be before us in one week.

List one week hence. List on 18.06.2025.

[M.S.J.] [H.C.J.]
11.06.2025

mk

To

1. The Water Resources Department
Represented by its Secretary to Government
Government of Tamil Nadu
Fort St.Geroge, Chennai-600 009.
2. The Greater Chennai Corporation
Represented by its Commissioner
Ripon Building, Chennai-600 003.
3. The Commissioner of Land Administration,
Ezhilagam, Chennai-600 005.
4. Te Revenue Divisional Officer,
Chennai South, Guindy,
Chennai-600 032.

**M.SUNDAR, J.,
and**



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W.P.No.20378 of 2025

HEMANT CHANDANGOUDAR, J.,

mk

**W.P.No.20378 of 2025
and
W.M.P.No.22967 of 2025**

11.06.2025