



WEB COPY



WP No.29187 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.29187 of 2024

Kallukuttai Gudisaivazh Makkal
Nala Sangam – Perungudi,
(S.L.No.513/2014), Rep. By its
Secretary, Mr.S.Anand, 445, Prabakaran Street,
Dr.Ambedkar Purachi Nagar, Kallukuttai,
Perungudi, Chennai 600 096.

.. Petitioner

-VS-

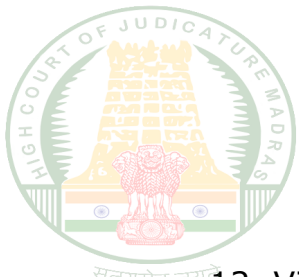
1. The State of Tamil Nadu,
Rep. By its Principal Secretary to
Chief Minister, Chief Minister Office,
Secretariat, Chennai 600 009.
2. The State of Tamil Nadu,
Rep. By its Chief Secretary,
Secretariat, Chennai 600 009.
3. The State of Tamil Nadu,
Rep. By its Principal Secretary,
Revenue Department, Secretariat,
Chennai 600 009.



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4. The State of Tamil Nadu,
Rep. By its Principal Secretary,
Rural Development and Panchayat
Raj Department, Secretariat,
Chennai 600 009.
5. The State of Tamil Nadu,
Rep. By its Secretary,
Energy Department, Secretariat,
Chennai 600 009.
6. The State of Tamil Nadu,
Rep. By its Secretary,
Registration Department, Secretariat,
Chennai 600 009.
7. The Chief Election Officer (CEO),
Tamil Nadu, Fort St. George,
Secretariat, Chennai 600 009.
8. The District Collector,
Chennai Metropolitan City,
Collectorate, Chennai 600 001.
9. The District Collector,
Collectorate, GST Road,
Chengalpattu.
10. The Commissioner,
Greater Chennai Corporation,
Ripon Building, 1st Floor,
Raja Muthaiah Road, Kannappar Thidal,
Periyamet, Chennai 600 003.
11. The Thasildar,
Shozhinganallur Taluk Office,
Shozhinganallur, Chennai 600 119.



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12. Village Administrative Officer,
Village Administrative Office,
Kandanchavadi, Perungudi,
Chennai 600 096.

13. Executive Engineer/O&M/IT Corridor,
TNEB, No.110, KV Tidel Park,
S S Complex, CSIR Road, Chennai 600 113.

14. The Deputy Commissioner of Police,
Adyar Police Campus, Adyar,
Chennai 600 020.

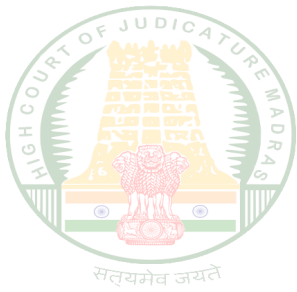
15. The Inspector of Police (L&O),
J-9, Thuraipakkam Police Station,
Thuraipakkam, Chennai 600 097.

16. The Inspector of Police,
S-10, Pallikaranai Police Station,
Madipakkam Range, Chennai 600 100.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd to 16th respondents to take appropriate action on petitioner's representation letters dated 13.07.2021, 10.09.2023 also through G-Mail dated 26.04.2021, as per the directions in K.K.Ramesh vs The State of Tamil Nadu and other case in W.P. (MD) No.22163 of 2018, dated 27.01.2022.

For Petitioner	:	Mr.A.Ramesh Manikandan
For Respondents	:	Mr.T.K.Saravanan Addl. Govt. Pleader, for RR 1 to 9, 11 and 12
	:	Ms.P.Prithvi Chopda Stdg. Counsel for R-10



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: Mr.R.Muniyapparaj
Addl. Public Prosecutor,
for RR 14 to 16
:
Ms.Sindhuza
for Mr.L.Jai Venkatesh for R-13

* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This Public Interest Litigation has been filed by the petitioner seeking issuance of a direction for removal of encroachments over waterbody.

2. The following averments have been made in paragraphs 3 and 4 of the affidavit indicating the areas where waterbody is situated and affected by encroachment:

"3. ... Adjacent to our area, some water bodies and pallikaranai marsh land situated. The south Chennai Rain water drain through various canals and through pallikaranai marsh land into the bay of Bengal sea.

4. ... behind the Dr.Ambedkar Law University at



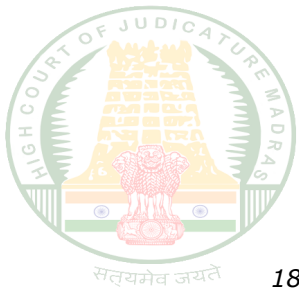
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Tharamani, at Mullai Street, Thiruvallur Nagar, Dr.Ambedkar Purachi Nagar, J.J.Nagar and Santhiya Nagar a water body with canal helps to flow the rain water from the Velacherry, Kandanchavadi and etc., from past 3 years and plus encroachments in water bodies happening in huge numbers results floods in and around of our area."

3. In response to the allegation so made in the petition, which though does not indicate any survey number, but only the location where waterbody is alleged to have been situated, the status report filed by 11th respondent, namely, Tahsildar, Shozhinganallur Taluk, reveals that the UDR Revenue Records of Shozhinganallur Taluk are recorded in the name of Department of Technical Education. Details thereof have been given in paragraph 5 of the status report along with survey numbers and the area. The same is reproduced hereinbelow:

Sl.No.	Survey No.	Classification	Extent	Remarks
1	12/1	Arasu Poramboke	0.38.5	Department of Technical Education
2	12/2	Arasu Poramboke	0.42.0	Department of Technical Education
3	13	Arasu Poramboke	0.72.0	Department of Technical Education
4	18/1	Arasu Poramboke	0.64.5	Department of Technical Education
5	18/2	Arasu Poramboke	0.24.5	Department of Technical Education
6	19/1	Arasu Poramboke	0.28.5	Department of Technical Education
7	19/2	Arasu Poramboke	0.01.5	Department of Technical Education
8	19/3	Arasu Poramboke	0.16.5	Department of Technical Education
9	20	Arasu Poramboke	1.31.5	Department of Technical Education
10	21/1	Arasu Poramboke	0.36.5	Department of Technical Education
11	22	Arasu Poramboke	1.58.5	Department of Technical Education
12	23	Arasu Poramboke	1.81.5	Department of Technical Education
13	24	Arasu Poramboke	0.91.0	Department of Technical Education
14	25	Arasu Poramboke	1.21.5	Department of Technical Education
15	26	Arasu Poramboke	0.75.5	Department of Technical Education
16	27	Arasu Poramboke	0.72.5	Department of Technical Education
17	28/1	Arasu Poramboke	1.98.5	Department of Technical Education

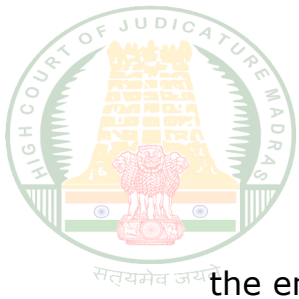


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18	28/2	Arasu Poramboke	1.81.5	Department of Technical Education
19	29/1	Arasu Poramboke	3.99.0	Department of Technical Education
20	30/1	Arasu Poramboke	4.28.5	Department of Technical Education
21	30/3	Arasu Poramboke	3.73.0	Department of Technical Education
22	31	Arasu Poramboke	0.35.0	Department of Technical Education
23	32/1	Arasu Poramboke	2.94.0	Department of Technical Education
24	32/2	Arasu Poramboke	3.07.0	Department of Technical Education
25	32/3	Arasu Poramboke	3.06.5	Department of Technical Education
26	32/4	Arasu Poramboke	3.06.5	Department of Technical Education
27	32/5	Arasu Poramboke	0.68.5	Department of Technical Education
28	33	Arasu Poramboke	1.83.0	Department of Technical Education
29	34	Arasu Poramboke	1.45.0	Department of Technical Education
30	35	Arasu Poramboke	6.74.5	Department of Technical Education
31	36/1	Arasu Poramboke	6.27.0	Department of Technical Education
32	36/2	Arasu Poramboke	3.10.0	Department of Technical Education
33	36/3	Arasu Poramboke	2.89.0	Department of Technical Education
34	36/4	Arasu Poramboke	3.40.0	Department of Technical Education
35	36/5	Arasu Poramboke	2.47.5	Department of Technical Education
36	36/6	Arasu Poramboke	1.82.0	Department of Technical Education
37	36/7	Arasu Poramboke	2.23.5	Department of Technical Education
38	36/8A	Arasu Poramboke	1.37.0	Department of Technical Education
39	36/9	Arasu Poramboke	3.10.5	Department of Technical Education
40	36/10A	Arasu Poramboke	1.98.5	Department of Technical Education
41	36/10B	Arasu Poramboke	1.29.0	Department of Technical Education
42	36/10C	Arasu Poramboke	1.04.5	Department of Technical Education
43	36/10D	Arasu Poramboke	0.81.5	Department of Technical Education
44	36/10E	Arasu Poramboke	0.74.5	Department of Technical Education
45	36/10F	Arasu Poramboke	1.78.5	Department of Technical Education
46	36/11	Arasu Poramboke	1.59.0	Department of Technical Education
47	36/12A	Arasu Poramboke	1.21.5	Department of Technical Education
48	36/12B	Arasu Poramboke	0.60.0	Department of Technical Education
49	36/13	Arasu Poramboke	0.60.5	Department of Technical Education
50	36/16B1A	Arasu Poramboke	2.02.5	Department of Technical Education
51	37/1	Arasu Poramboke	5.83.0	Department of Technical Education
52	37/2A	Arasu Poramboke	2.43.0	Department of Technical Education
53	37/2B	Arasu Poramboke	2.22.0	Department of Technical Education
54	222	Arasu Poramboke	1.31.5	Department of Technical Education
55	225	Arasu Poramboke	3.82.0	Department of Technical Education
56	234	Arasu Poramboke	11.31.0	Department of Technical Education
57	235	Arasu Poramboke	0.38.0	Department of Technical Education
58	236	Arasu Poramboke	5.36.0	Department of Technical Education
59	237	Arasu Poramboke	3.37.5	Department of Technical Education

3.1. The status report further reveals that encroachments were made in the above survey numbers in Shozhinganallur Taluk. The details of



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the encroachments given in paragraph 6 are as below:

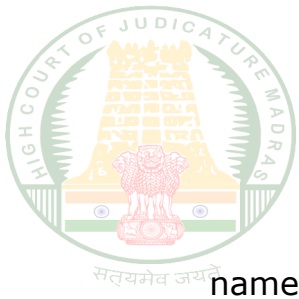
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Sl.No.	Description	Total Streets	Approximate Houses	Approximate Commercial
1	Thiruvalluvar Nagar	62	2938	165
2	Sandhya Nagar	08	360	12
3	Sandhya Nagar Extension	11	501	06
4	Ranuva Kudiyruppu	03	150	06
5	Annai Anjugam Ammaiyyar Nagar	25	1250	50
6	Annai Ambedkar Nagar	73	3180	67
7	Sempon Nagar	09	436	07
8	Dr.Ambedkar Puratchi Nagar	16	759	39
9	JJ Nagar	11	510	15
10	Dr.Ambedkar Puratchi Nagar	11	495	11
	Approximate Total	229	10579	378

3.2. It has been stated that the land vests with and under the maintenance of the Technical Education Department since 1984 as per UDR records.

3.3. It is clear from the above that all those lands belong to Department of Technical Education and are recorded in various survey numbers as "Arasu Poramboke". Therefore, the lands under the UDR revenue records are recorded as poramboke land and not as waterbody.

4. The petitioner has, later on, filed various additional affidavits,

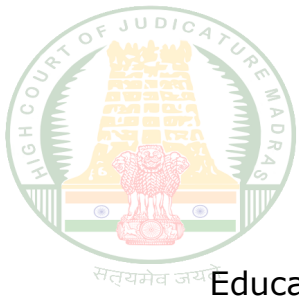


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namely, Additional Affidavit-I, Additional Affidavit-II and Additional Affidavit-III, giving details of many other lands asserting those as waterbodies and under encroachment.

5. We find that because of vague averments made in the petition without giving a specific survey number, the respondent authorities had carried out survey on the basis of the vague statement made in the petition and in respect of certain lands situated in Mullai Street, Sandhya Nagar, Tiruvallur Nagar, survey was conducted and it was found that those are the lands under the control of the Technical Education Department. The survey numbers, which have now been mentioned by the petitioner in the three additional affidavits, are different from the survey numbers, which have been mentioned in the status report filed by the Tahsildar.

6. We find that, even though the petitioner's allegation of the land being waterbodies is not made out from what has been stated in the main affidavit, large tracts of land, which belong to Technical Education Department, are under encroachment. As per the status report, it is apparently clear that the lands belong to Technical



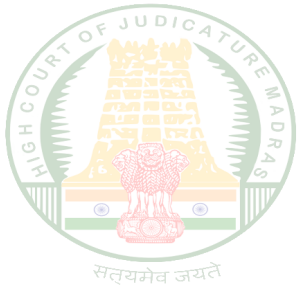
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Education Department of the Government and that there are about 10,579 encroachments on the land. It is highly surprising as to how the encroachment was allowed on those lands and large number of houses have also been constructed.

6.1. The Tahsildar has stated in the status report that sufficient time may be granted to take necessary steps as the officials are presently engaged in carrying out enumeration with reference to Special Intensive Revision roll in the area.

7. It is surprising to note that the members of the petitioner-Sangam are also one of those who have entered into the Government land without any authority and their claim for grant of patta is pending consideration before this Court in other proceedings. The members of the petitioner-Sangam themselves are the persons who have filed the other petition and they are occupying the Government land without authority, but continuing only under the orders passed in their favour in the other proceedings. Therefore, at the instance of the petitioner, we are not inclined to proceed further in the present petition.



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Petition is, therefore, dismissed. There shall be no order as to costs.

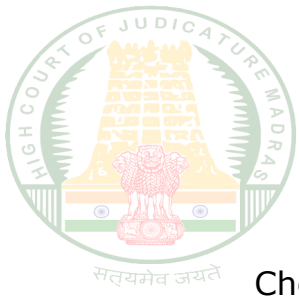
(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
26.11.2025

Index : Yes/No
Neutral Citation : Yes/No

sra

To

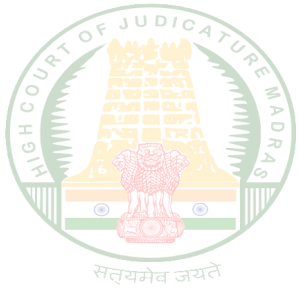
1. The Principal Secretary to
Chief Minister, Govt. of Tamil Nadu,
Chief Minister Office,
Secretariat, Chennai 600 009.
2. The Chief Secretary,
Govt. of Tamil Nadu,
Secretariat, Chennai 600 009.
3. The Principal Secretary ,
Govt. of Tamil Nadu,
Revenue Department, Secretariat,
Chennai 600 009.
4. The Principal Secretary ,
Govt. of Tamil Nadu,
Rural Development and Panchayat
Raj Department, Secretariat,



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5. The Secretary ,
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Energy Department, Secretariat,
Chennai 600 009.
6. The Secretary ,
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN, J.

(sra)

13. The Executive Engineer/O&M/IT Corridor,
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