

WEB COPY

WP No. 45479 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 45479 of 2025

and

WMP.No. 50678 of 2025

1.Subramanian

2.Sakthivel

Petitioner(s)

Vs

1. The District Collector,
Chengalpattu District, Chengalpattu.

2.The Revenue Divisional Officer,
Tambaram Division, Tambaram, Chennai-
600 045.

3.The Tahsildar,
Tambaram Taluk, Tambaram,
Chennai-600 045.

4.The Village Administrative Officer(VAO)
Thiruvanchery Village, Tambaram Taluk,
Chennai-600 126.s

Respondent(s)



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, forbearing the 3rd and 4th respondents from interfering with the maintenance, repair and other minor development activities on the petitioner's privately owned land in Survey Nos.21/2B2E, 21/3B3B and 21/3B4D measuring 792.792 Sq.ft(1.82 cents).

For Petitioner(s): Mr.P.V.S.Giridhar for
M/s. P.V.S.Giridhar Associates

For Respondent: Mr.T.M.Rajangam
Government Advocate

ORDER

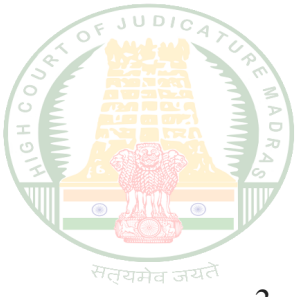
This Writ Petition has been filed seeking issuance of writ of mandamus, forbearing the 3rd and 4th respondents from interfering with the maintenance, repair and other minor development activities on the petitioner's privately owned land in Survey Nos.21/2B2E, 21/3B3B and 21/3B4D measuring 792.792 Sq.ft(1.82 cents).

2. The learned Senior counsel appearing for the petitioners would submit



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that the petitioners purchased the property situated at Tambaram Taluk, Chengalpattu District to an extent of 1 acre 82 cents from one Indhu, who is a power Agent of S. Ramachandran vide registered sale deed dated 18.05.2006 vide Document No.2757 of 2006 thereafter, the petitioners mutated the revenue records in their favour in Patta No.31 in respect of Survey Nos.21/3B2E, 21/3B3B and 21/3B4D and thereafter, the petitioners entered joint development agreement on 01.02.2013 with M/s.MM Builders and M/s.Dram Homes and constructed multiple apartments, after obtaining necessary building, planning permission and other statutory approval and thereafter, the petitioner constructed a Subham apartments comprising 124 residential plots. While so, the 4th respondent visited the site without prior notice, stopped the repair and maintenance work carried out by the petitioners under the threat of police action on 02.09.2025 thereby, the petitioner sent a representation dated 05.09.2025. Since no order was passed, the present writ petition is filed for appropriate orders. The learned counsel for the petitioners would further submit that this Court may issue a direction to the respondents to consider the petitioners' representation and pass appropriate orders with a specified time.



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3. Per contra, the learned Government Advocate appearing for the respondents submitted that the 1st petitioner served as a Village Administrative Officer in Tambaram Taluk Office and by virtue of the position he acquired earlier, he created a sale deed and encroached the Government Pomromboke land and the land was acquired under the Urban Land Ceiling proceedings, which is classified as Arasu Punjai and the classification of patta is Kinaru Nila Uchavarambu Tharisu. It is further stated that the 1st petitioner was terminated from his service and now he filed writ petition for mandamus forbearing the 3rd and 4th respondents from entering to maintenance, repair and other activities carried out in the premises whereas the respondents claimed that the property owned by the Government as Nila Uchavarambu Tharisu and the patta classification is Kinaru Nila Uchavarambu Tharisu. Hence, he would submit that there must be adjudication for title and this Court cannot grant title in favour of the petitioners by granting mandamus, accordingly, he prayed for dismissal of the writ petition.



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4. In response, the learned Senior counsel for the petitioners would submit that the 1st petitioner is employed as Village Administrative Officer earlier and he was terminated from service and challenging the termination order, he file a writ petition and the stage of the said petition is not known. The learned Senior Counsel appearing for the petitioner submitted that mere employed as a VAO is not a bar for possessing and purchasing the property. Accordingly, he prayed for appropriate orders.

5. Heard the learned counsel appearing for the petitioner as well as the respondents.

6. The petitioners claimed that they purchased the property from one Indhu, power of attorney of S.Ramachandran and thereafter, entered into a joint development agreement and obtained necessary permission from the statutory authority thereby, they constructed the apartments. While carrying out the repair and maintenance work in the apartment constructed by the petitioners, the 4th respondent interfered with the same claiming that the property is classified as



Nila Uchavarambu Tharisu. Admittedly, the patta is granted in favour of the petitioners in Patta No.31 however, mere possessing of patta will not confer the

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title and the title has to be established before the competent Civil Court.

7. In view of the same, the prayer sought for in the writ petition cannot be granted. Hence, this Writ Petition is dismissed however, liberty is granted to the petitioner to approach the civil Court for appropriate remedy. No costs
Consequently, connected miscellaneous petition is closed.

26-11-2025

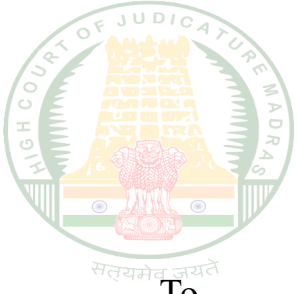
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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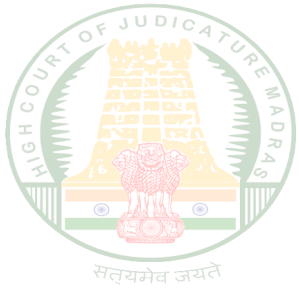
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M.DHANDAPANI J.

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