



W.P(MD)No.21530 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.08.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.21530 of 2026

and

W.M.P.(MD)Nos.16014, 16015 and 16016 of 2026

Jaya

... Petitioner

Vs.

1.The Assistant Engineer,
(Water Resources Department),
Boothapandi,
Kanyakumari District.

2.The Tahsildar,
Thovalai Taluk,
Boothapandi,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the proceedings of the 1st respondent in Letter No.KO-14/430/2026 dated 23.07.2026 and to quash the same as illegal, arbitrary and without jurisdiction.

For Petitioner : Mr.D.Nallathambi



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For Respondents : Mrs.K.Porkodi,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petitioner challenges the impugned eviction proceedings initiated by the first respondent under the provisions of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007. It is seen that the petitioner has put up a house construction in survey No.59/4 in Easanthimangalam village, Thuvarangadu Boothapandi Taluk. A bare look at the “A” register would show that the said survey number has been classified as a “water body”. Occupation of a water body is impermissible. Therefore, the respondents rightly issued the eviction proceedings and they cannot be interfered with.

3.The learned counsel for the petitioner points out that Form II notice was issued on 03.01.2019. As many as 10 persons have been mentioned therein. The petitioner is one among them. He points out that



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the other noticees have been issued with patta. Copies of the said patta have been enclosed in the typed set of papers.

4.Our attention is also drawn to the letter dated 19.03.2024 informing the petitioner that her request for issuance of natham patta in some other survey number will be considered.

5.Taking into account the overall circumstances, we dispose of the writ petition in the following terms:-

(i) The impugned eviction proceedings are sustained.

(ii) The petitioner is given six months time from today ie., 06.08.2026 to vacate provided she files an affidavit of undertaking to that effect before the first respondent within two weeks from the date of receipt of a copy of this order. Failure to do so would result in recall of this order and dismissal of the writ petition.

(iii) The second respondent is directed to take consequential action pursuant to his letter number bearing Na.Ka.No.Aa2/08/2024 dated 19.03.2024 and if the petitioner is eligible, the petitioner will be allotted



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an alternative site in the vicinity as that of others.

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(iv) No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S.J.) & (B.P.J.)
06.08.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

1.The Assistant Engineer,
(Water Resources Department),
Boothapandi,
Kanyakumari District.

2.The Tahsildar,
Thovalai Taluk,
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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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