



WEB COPY



WP No.37297 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**WP No. 37297 of 2025
AND
WMP NO. 41740 OF 2025**

1. J.Udhayakumar
Door No.129, Mettu Theru,
Vedanthavadi Village,
Keelpenathur Taluk,
Tiruvannamalai -606 752.

Petitioner(s)

Vs

1. Assistant Engineer
Department Of Water Resources,
Keelpenathur Irrigation Division,
Tiruvannamalai.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari, calling for the records of the respondent dated 02.04.2025 made in FORM-III issued under Rule 6(1) of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules 2007, and quash the same.



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For Petitioner(s): Mr.K.VENKATASUBBAN
for M/S.SARVABHAUMAN
ASSOCIATES

For Respondent(s): Mr.Vadivelu Deenadayalan,
AGP

ORDER

(Order of the Court was made by *S.M.Subramaniam J.*)

The writ petition has been instituted challenging the order issued in Form-III under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007. The competent Authority, during inspection identified encroachments in water body. Thus, enforcement action has been initiated for evicting the encroachments. The petitioner constructed “Samadhi” and toilets etc.

2.The learned Additional Government Pleader would submit that the Authorities competent had already removed other encroachments except Samadhi and the petitioner has given an Undertaking on 22.05.2025 stating that he will complete the formalities and remove the Samadhi within a period of 25 days. However, the petitioner failed to honour his own Undertaking given before the Assistant Executive Engineer, Tiruvannamalai.



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3. The learned counsel for the petitioner would now submit that some more time may be granted to the petitioner enabling him to remove the Samadhi.

4. In view of the said submission, a final opportunity is granted to the petitioner to remove Samadhi and hand over vacant possession to the respondent on or before 31.01.2026. The standing crops if any also may be removed on or before 31.01.2026. In the event of failure, the respondent is directed to remove all the encroachments including the crops if any and recover the charges from the petitioner by following the procedures. It is made clear that no further time will be granted to the petitioner for removal of encroachments in the water body.

5. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected WMP is also closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)

15.12.2025

(2/2)

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Index: Yes

Speaking order

Internet: Yes

Neutral Citation: Yes/No



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C.KUMARAPPAN J.

kmi

To

1.Assistant Engineer
Department Of Water Resources,
Keelpenathur Irrigation Division,
Tiruvannamalai.

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