



W.P.No.41352 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2025

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.41352 of 2025

and

W.M.P.No.46299 of 2025

Anuradha

... Petitioner

-Vs-

1. The Chief Engineer,
Chennai Region,
Water Resources Department,
Chepauk,
Chennai – 600 005.
2. The Assistant Engineer,
Krishna Drinking Water Project Sub-Division-2,
Section-II,
Chepauk,
Chennai – 600 005.
3. The District Collector,
Collectorate – Chengalpattu District,
Chengalpattu.



W.P.No.41352 of 2025

4. The District Revenue Officer,
Chengalpattu District,
Chengalpattu.

5. The Tahsildar,
Pallavaram Taluk Office,
Pallavaram,
Chennai – 600 044.

6. The District Land Survey Office,
Represented by its Assistant Director,
Collectorate-Chengalpattu District,
Chengalpattu.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records in official communication No.Nil dated 06.10.2025 issued by the second respondent and quash the same.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

(Order of the Court was made by **R.SURESH KUMAR, J.**)

The prayer sought for herein is for a writ of certiorari, to call for the



W.P.No.41352 of 2025

records in official communication No.Nil dated 06.10.2025 issued by the second

WEB

respondent and quash the same.

2. With regard to the alleged encroachment in a tank poramboke at T.S.No.41, Old Survey No.357, Block-41, Ward-H at Keelkattalai Village, Pallavaram Taluk, Chengalpattu District, a notice in Form-III under Rule 6(i) of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007 was issued on 06.10.2025, the same has been put under challenge in this writ petition by the petitioner on the ground that, before issuance of the show cause notice dated 06.10.2025, no survey has been conducted to identify the boundaries of either the water body or the boundaries of the plot where the petitioner has constructed a house in an approved layout. Without having undertaken this survey, abruptly since the notice which is impugned herein has been issued, therefore, the said notice is questioned herein.

3. We have heard Mr.S.Rajesh, learned Government Advocate appearing for the respondents who would submit that, it is on the basis of the report



W.P.No.41352 of 2025

received by the concerned authority, such an action to remove the encroachment

has been initiated by the respondents by issuing a notice as show cause notice as contemplated under the said Rules of 2007 and if at all it is the grievance of the petitioner that, before issuance of such notice, once again a survey has to be conducted to identify the exact boundaries of the water body as well as the private property belongs to the petitioner to identify the exact encroachment made by the petitioner, such course of action also would be adopted by the respondents within a time frame that may be stipulated by this Court, he contended.

4. Having regard to the said stand taken by the learned Government Advocate appearing for the respondents and taking into account of the aforesaid factual matrix, this Court is inclined to dispose of this writ petition with the following orders:

(i) that there shall be a direction to the respondents 2, 5 & 6 to conduct a survey of course after giving notice to the petitioner of the land in question which includes the border of the water



W.P.No.41352 of 2025

body, i.e., boundaries of the water body abutting the private land belongs to the petitioner and identify the encroachment if any made on behalf of the petitioner.

(ii) If there has been any encroachment made by the petitioner in the water body as alleged in the impugned notice, it is open to the respondents to initiate action as contemplated under the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and the Rules made thereunder.

(iii) This action shall be completed within a period of two months from the date of receipt of a copy of this order.

(iv) Till such time, the impugned notice shall be kept in abeyance.

5. With the above directions, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.)

(H.C., J.)

25.11.2025

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No



WEB COPY



W.P.No.41352 of 2025

To

1. The Chief Engineer,
Chennai Region,
Water Resources Department,
Chepauk,
Chennai – 600 005.
2. The Assistant Engineer,
Krishna Drinking Water Project Sub-Division-2,
Section-II,
Chepauk,
Chennai – 600 005.
3. The District Collector,
Collectorate – Chengalpattu District,
Chengalpattu.
4. The District Revenue Officer,
Chengalpattu District,
Chengalpattu.
5. The Tahsildar,
Pallavaram Taluk Office,
Pallavaram,
Chennai – 600 044.



W.P.No.41352 of 2025

6. The Assistant Director,
The District Land Survey Office,
Collectorate-Chengalpattu District,
Chengalpattu.

WEB COO



WEB COPY



W.P.No.41352 of 2025

R.SURESH KUMAR, J.

and

HEMANT CHANDANGOUDAR, J.

vji

W.P.No.41352 of 2025

and

W.M.P.No.46299 of 2025



WEB COPY



W.P.No.41352 of 2025

25.11.2025