



W.P.Nos.43783 and 43789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.Nos.43783 and 43789 of 2025 and
W.M.P.Nos.48890, 48891, 48901 & 48902 of 2025

W.P.No.43783 of 2025

M.Gokulakannan

... Petitioner

-vs-

1. The Chief Engineer,
Water Resources Department,
Chepauk, Chennai.

2. The Assistant Engineer,
Water Resources Department,
Krishna Water Supply Project,
Sub-Division-II, Section-II,
Chepauk.

3. The Tahsildar,
Sozhinganallur Taluk.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the records of the impugned notice dated 09.09.2025 issued by the 2nd respondent, quash the same and consequently direct the respondents not to take any coercive action in respect of the building situated at Plot No.E (Bagyalakshmi Nagar previously) Viduthalai Nagar, comprised in S.No.363/1, of No.17, Madipakkam II, S.Kolathur Village, now Sozhinganallur Taluk (previously



W.P.Nos.43783 and 43789 of 2025

Tambaram Taluk), Chennai (Previously Kancheepuram District) pursuant to the impugned notice.

W.P.No.43789 of 2025

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... Petitioner

-vs-

1. The Assistant Engineer,
Water Resource Department,
Krishna Water Supply Project,
Division-II, Sub-Division-II,
Chepauk, Chennai.

2. The Tahsildar,
Sozhangannallur Taluk

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the records of the impugned notice dated 06.10.2025 issued by the 2nd respondent, quash the same and consequently direct the respondents not to take any action against the petitioner's property, viz., Flat No.F-2, "D" Block, 363/1B, Bagyalakshmi Nagar 2nd Street, S.Kolathur, Chennai – 600 117, comprised in S.No.363/1B of Madipakkam-2 Village, Sozhangannallur Taluk, Chennai District pursuant to the impugned notice.

For Petitioners : Mr.S.M.Murali Dharan

For Respondents : Mr.A.Selvendran

Spl. Govt. Pleader

COMMON ORDER

(By.S.M.SUBRAMANIAM,J.,)

Writ Petitions have been instituted, challenging the show cause notice issued in Form-III under the provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.



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2. Learned Special Government Pleader appearing for the respondents would submit that enforcement action commenced after identifying encroachments in the water body /canal. The authorities are in the process of demolishing illegal constructions, by encroaching upon the water body / canal. He would further submit that a major portion of encroachments had already been removed and the remaining will be removed within a period of one week from today.

3. That apart, no writ against show cause notice is maintainable, unless it has been issued by an incompetent authority, having no jurisdiction and tainted with allegations of mala fide. It is brought to the notice of this Court that encroachers could not be able to produce any document to establish their rights. Encroachments have been made in the water body / canal and enforcement actions are almost completed. Therefore, there is no reason to keep these Writ Petitions pending.

Consequently, these Writ Petitions stand dismissed. No costs.

Connected Miscellaneous Petitions are closed.

(S.M.S,J.) (C.K,J.)
17.12.2025

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S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.
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To:

1. The Chief Engineer,
Water Resources Department,
Chepauk, Chennai.
2. The Assistant Engineer,
Water Resources Department,
Krishna Water Supply Project,
Sub-Division-II, Section-II,
Chepauk.
3. The Tahsildar,
Sozhinganallur Taluk.

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