



WEB COPY

WP No. 43363 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

WP No. 43363 of 2025

1. K.V.Hari Prasad

Petitioner(s)

Vs

1. The Secretary To Government
Ministry Of Water Resource
Department, Secretariate,
Tamil Nadu.

2.The District Collector
Chennai District Collector Office,
No.62, 4th Floor, Singaravellar
Malligai, Rajaji Salai, Chennai.

3.The Assistant Engineer
Water Resource Department, Krishna
Drinking Water Supply Project Phase-
II, Sub Division-3, Thiruvallur.

4.The Assistant Engineer
Water Resource Department,



Krishna Drinking Water Supply, Main
Road Chepauk, Chennai-600 005.

5.The Assistant Engineer
Water Resource Department, Krishna
Drinking Water Supply, Uthukottai.

6.The Tahsildar
Sholinganallur Taluk, TNHB,
Sholinganallur, Chennai,
Tamil Nadu-600 119.

Respondent(s)

PRAYER

Call for records of the proceedings dated 06.10.2025 on the file of the Assistant Engineer, Water Resources Department, Krishna Drinking Water Supply Project, Phase-II, Sub Division-3, Thiruvallur, 3rd respondent herein and quash the same and issue such further or other appropriate orders

For Petitioner(s): Mr.M.B.Mushtaque Ahamed

For Respondent: Mr.Selvendran
Special Government Pleader for R1-6

ORDER

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

Challenging the show cause notice issued under the provision of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, enacted in 2007, the present writ petition came to be instituted.



WEB COPY

2. No writ against show cause notice is entertainable, unless such notice has been issued by an incompetent authority having no jurisdiction or tainted with the allegation of malafide. On receipt of notice, noticee is expected to submit his explanation along with the documents, if any, failing which the authorities are empowered to continue the proceedings and take final decision and remove the encroachment by following the procedure.

3. In the present case, the writ petition has been instituted challenging the show cause notice.

4. Learned counsel for the petitioner would submit that petitioner submitted an application and based on the said application, further orders are passed. However, those orders are not under challenge in this writ petition. That apart, encroachment is in water body as per show cause notice. That being so, this Court is not inclined to entertain the writ petition.



5. Consequently, the writ petition is dismissed. No costs. The connected

miscellaneous petitions, if any, are closed.

WEB COPY

(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)

07-11-2025

gd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



WEB COPY

1.The Sercretary To Government
Ministry Of Water Resource
Department, Secretariate, Tamil Nadu.

2.The District Collector
Chennai District Collector Office,
No.62, 4th Floor, Singaravellar
Malligai, Rajaji Salai, Chennai.

3.The Assistant Engineer
Water Resource Department, Krishna
Drinking Water Supply Project Phase-
ii, Sub Divism-3, Thiruvallur.

4.The Assistant Engineer
Water Resource Department, Krishna
Drinking Water Supply, Main Road
Chepauk, Chennai-600 005.

5.The Assistant Engineer
Water Resource Department, Krishna
Drinking Water Supply, Uthukottai.

6.The Tahsildar
Sholinganallur Taluk, Tnhb,
Sholinganallur, Chennai, Tamil Nadu-
600 119.



WEB COPY

WP No. 43363 of 2025



**S.M.SUBRAMANIAM J.
AND
MOHAMMED SHAFFIQ J.**

gd

WP No. 43363 of 2025

07-11-2025