



WEB COPY

WP No. 42242 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. 42242 of 2025

1. Senthilkumar,

Petitioner(s)

Vs

1. The Assistant Engineer
Water Resource Department, Krishna
Water Supply Project Division-II,
Sub-division-II, Chepauk, Chennai -05.

2.The Thasidlar,
Sozhinganallur Taluk.

Respondent(s)

PRAYER

Call for the records of the impugned notice, dated 06.10.2025 issued by the 2nd respondent and quash the same and consequently direct the respondents not to take any action against the Petitioner's property viz, Flat No.G-1, D Block, 363/1B, Bagayalakshmi Nagar 2nd Street, S.Kolathur, Chennai -600 117 comprised in Survey No. 363/1B of Madipakkam -2 Village, Sozhinganallur, Taluk, Chennai District pursuant to the Impugned notice.



For Petitioner(s): Mr.S.M.Muralidharan

For Respondent: Mr.Vadivelu Deenadayalan
Additional Government Pleaader

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.

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.

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

07-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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- To
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