



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-12-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 50702 of 2025

and

W.M.P.Nos.56780 & 56782 of 2025

1. M/S VENKATESH COKE AND
POWER Limited
Represented by its authorized Signatory
Mr. Sethu Madhavan 6296 A/D-1
chandrawal Road
New Delhi 110 007

Petitioner(s)

Vs

1. Government Of India
Ministry of Commerce and Industry, Department
of commerce, SEZ Section, Represented by
Additional Secretary to the government,
Vanijya Bhawan, new Delhi 110 011

2.The Secretary to Government
Industries, Investment promotion and Commerce
Department, Secretariat, chennai 600 009

3.The Special Secretary to government
Public works Department, Secretariat,
Chennai 600 009

4.The Secretary to Government
Water Resources Department, Secretariat,
Chennai 600 009

5.The District Collector
first Floor, Collectorate, thiruvallur 602001

6.The District Revenue officer
Master Plan complex, NH205, Thiruvallur 602001



7.The Revenue Divisional officer
JN road, Thiruvallur 602 001

8.The Tahsildar
Ponneri Taluk, Ponneri, thiruvallur District

9.The Chief Engineer
Water Resources Department, Chennai Zone,
Chepauk, Chennai 600 005

10.The Exective Engineer
Araniyar Basin Division, Water Resource
Department, Chennai 600 005

11.NDR Infrastructure Pvt. Ltd.,
Nandambakkam Port Road, nandambakakm,
Ponneri taluk thiruvallur Distrct,
Chennai 600 120

Respondent(s)

PRAYER

Call for the records pertaining to the Impugned order dated 26.07.2025 passed by the 5th Respondent in the case proceedings in Na.Ka. no 2090647 of 2024 and the No Objection letter dated 15.05.2018 issued by the 9th Respondent along with the subsequent proceedings, and set aside the same with a consequential direction to the 2nd to 10th Respondents to not permit any construction of any structure or laying of road over the water channels, at Survey No 1/1 and 2/4 at Athipattu Village, and to remove the stones already erected in and around the said water channels, and restore the water channels to its original levels, enabling the Petitioner to maintain the natural contour of the said water channel without any disturbance.

For Petitioner(s): M/s.Inthu Karunakaran

For Respondent(s): Mr.P.Gurunathan
Additional Government Pleader



ORDER

By consent of both the counsels, this writ petition is taken up for final disposal.

2.I heard Ms.Inthu Karunakaran for the petitioner and Mr.P.Gurunathan, Additional Government Pleader for the respondents.

3.The petitioner is the owner of vast extent of lands situated in Athipattu Village, Ponneri Taluk, Thiruvallur District. The petitioner has obtained necessary approvals from the Union of India to establish a Special Economic Zone (SEZ) for its land. The Special Economic Zone is to cater to the needs of Free Trade Warehousing (FTWZ). In the holdings and abutting the holdings of the petitioner, water channels are situated. In particular, a channel is said to run through Survey No.1/1 and 2/4 of Athipattu Village.

4.The grievance of the petitioner is that the 6th respondent namely, the Revenue Divisional Officer, Thiruvallur, is constructing RCC Box with cut-and-cover (Two Vent) culvert, over the aforesaid channel. This petitioner submits the order permitting such constructions amounts to encroaching on water body and that the No Objection Certificate granted for this purpose requires to be quashed. The petitioner relies upon an earlier order passed by this Court in W.P.No.14127 of 2019, dated 08.05.2019. In the said writ petition, a Division



Bench of this Court directed that it is the duty of the respondents 1 to 5 therein to see that no water channel is affected. The petitioner states despite this clear and specific direction, the respondents are proceeding to encroach upon the water channel.

5. When the matter was called, Mr. P. Gurunathan, Additional Government Pleader produced a copy of the proceedings of the Executive Engineer, WRD, Araniyar Basin Division, Chepauk, Chennai – 600 005, dated 21.11.2025. He states that the Revenue Divisional Officer is not constructing any RCC Box with cut and cover (Two Vent) culvert over the water channel and that the channel remains as it is. The instructions given to the Additional Government Pleader is scanned and extracted hereunder:-



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**GOVERNMENT OF TAMILNADU
WATER RESOURCES DEPARTMENT**



From

Er.G.Karthigeyan, M.Tech., M.I.E.,
Executive Engineer, WRD,
Araniyar Basin Division,
Chepauk, Chennai - 600 005.

To

The Special Government Pleader,
Hon'ble High Court of Madras,
Chennai - 600 104.

Lr. No. / F - Court Case / 2025 / Dated: 21.11.2025.

Sir,

Sub: The directions of the Hon'ble High court of Madras order dated 08.05.2019 for **W.P.No 14127/2019** filed by **M/s.Venkatesh Coke & Power Limited** represented by its Joint Managing Director, Mr. Ravi Agarwal, 6296 A/D-1, Chandrawal Road, New Delhi - 110 007 - Seeking to Issue of a Writ of Mandamus directing respondents 1 to 5 to take appropriate action and ensure that no road is laid or constructed over the water channels comprised in Survey Nos.1/1 and 2/4 in Athipattu Village - Compliance report submission- Reg.

Ref:

- 1) The Petitioner M/s. Venkatesh Coke & Power Limited represented by its Joint Managing Director, Mr. Ravi Agarwal, 6296 A/D-1, Chandrawal Road, New Delhi - 110 007 filed in Hon'ble High Court of Madras of W.P.No.14127 / 2019.
- 2) The Hon'ble High court of Madras Issued the direction dated 08.05.2019.
- 3) The District Revenue Officer, District Collector Office, Thiruvallur Lr.No..15666 / 2017 / Dt:14.07.2017.
- 4) The Chief Engineer, WRD, Chennai Region, Chepauk, Chennai-600 005. Lr.No. 1492 / Dt:15.05.2018.
- 5) The Executive Engineer, WRD, Araniyar Basin Division, Chepauk, Chennai-5 Agreement dated: 29.08.2018.
- 6) The Assistant Executive Engineer, Araniyar Basin Subdivision, Ponneri letter no. 550 / AEE / 2024 / F-38 dated: 16.08.2024.
- 7) The Revenue Divisional Officer, Ponneri Lr.No. Na.ka.No.104 / 2024 / A1 / 23.12.2024.



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- 8) The Tahsildar, Ponneri Lr.No. Na.Ka.No. 942 / 2024 / A2 / dated: 21.12.2024.
- 9) The Firka Level Surveyor, Minjur report dated:17.12.2024.
- 10) The District Revenue Officer, District Collector Office, Thiruvallur Lr.No. ~~2090647~~ 2090647 / 2024 / ~~28.04~~ 28.04.2025.
- 11) The Assistant Executive Engineer, Araniyar Basin Subdivision, Ponneri Lr. No. / F - Court Case / 2025 / Dated: 05.05.2025 & 19.06.2025.
- 12) Requisition letter for NOC cancellation submitted by M/s. NDR Infrastructure Private Limited, Nandiyambakkam Port Road, Nandiyambakkam, Ponneri Taluk, Thiruvallur District, Chennai - 600120. Lr No: Nil Dated:03.11.2025

The petitioner M/s. Venkatesh Coke & Power Limited represented by its Joint Managing Director, Mr. Ravi Agarwal, 6296 A/D-1, Chandrawal Road, New Delhi - 110 007 filed W.P.No 14127/2019 vs the following Respondents before the Hon'ble High court of Madras,

Respondents:

1. The District Collector,
First Floor, Collectorate,
Thiruvallur - 602 001.
2. The Tahsildar,
Ponneri Taluk,
Ponneri, Thiruvallur District.
3. The Revenue Divisional Officer,
JN Road, Thiruvallur - 602001.
4. The District Revenue Officer,
Master Plan Complex, NH 205,
Thiruvallur - 602001.
5. The Special Secretary to Government,
TNPWD, Secretariat (5th Floor),
Chennai - 600009.
6. M/s.NDR Infrastructure Pvt. Ltd.,
represented by its director,
Nandiyambakkam Port Road,
Nandiyambakkam, Ponneri Taluk,
Thiruvallur District, Chennai - 600120.



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Prayer of the Petitioner:

The Petitioner is the owner of the lands comprised in Survey Nos. 1/2, 2/2, 20/1, 23/3 and 23/4 situated in Athipattu Village. The Petitioner had been granted formal approval by the Special Economic Zones (SEZ) in the meeting held on 03.07.2017 for the development of a Free Trade Warehousing Zone under the Special Economic Zones Act, 2005. The Government had also recommended the said project vide its letter dated 06.03.2017. Further, the District Collector, Tiruvallur, in proceedings dated 24.02.2017, had observed that the water-catchment areas and water channels should not be affected during the development of the project and that a "No Objection Certificate" must be obtained from the Public Works Department.

The grievance of the Petitioner is that the sixth respondent was illegally laying a road in the Petitioner's land and also over the designated water channels in the above-mentioned survey numbers. The Petitioner had submitted a representation to respondents 1 to 5 in this regard. Since no action had been taken on the said representation, the Petitioner has approached this Hon'ble Court with the present Writ Petition.

The Petitioner has filed this Writ Petition before the Hon'ble High Court of Madras seeking issuance of a Writ of Mandamus directing respondents 1 to 5 to take appropriate action and ensure that no road is laid or constructed over the water channels comprised in Survey Nos. 1/1 and 2/4 in Athipattu Village, and to further take steps to restore the said water channels.

Direction of the Hon'ble High Court of Madras:

The Hon'ble High Court of Madras, by order dated 08.05.2019, directed respondents 1 to 5 to consider the representation submitted by the petitioner, after affording an opportunity of hearing to the 6th respondent and other persons who are likely to be affected, and to pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of the order. The Court further made it clear that it is the **duty of respondents 1 to 5 to ensure that no water channel is affected.**



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Compliance Report:

The petitioner had filed this Writ Petition before the Hon'ble High Court¹⁷ of Madras stating that a road was laid in the water channel in Survey Nos. 1/1 and 2/4 of Athipattu Village, Ponneri Taluk, Thiruvallur District, by the 6th respondent.

With reference to the letter third cited above, the District Revenue Officer, Office of the District Collector, Thiruvallur, had sought remarks regarding the construction of an RCC Box Cut-and-Cover (Two Vent) culvert in the said channel and its proposed use as an alternate road, as requested by the 6th respondent for accessing their lands in Survey Nos. 159, 161 and 162 of Nandiambakkam Village, and Survey Nos. 2/3, 5, 6, 7 and 8 of Athipattu Village, Ponneri Taluk, Thiruvallur District. It is humbly submitted that the site was inspected and temporary permission was granted for the construction of the RCC Box Cut-and-Cover (Two Vent) culvert to the 6th respondent vide the reference fourth cited. Based on the said No Objection Certificate, an agreement was executed between the Executive Engineer, WRD, Araniyar Basin Division, Chepauk, Chennai-5, with the 6th respondent with specific terms and conditions. At present, the channel and the adjacent lands are filled with water, and the RCC Box Cut-and-Cover (Two Vent) culvert, as per the agreement, has not yet been constructed.

In respect of the directions of the Hon'ble High Court of Madras in W.P. No. 14127 of 2019 dated 08.05.2019, the channel was inspected by the field engineers, and it was found that no road was laid or constructed in the water channel. During the inspection, no defined channel was visible between the patta lands. Accordingly, A letter has been duly forwarded to the Tahsildar, Ponneri, as requested to furnish the current status of the above survey numbers vide the reference 8th cited. Based on this, the water channel in Survey Nos. 1/1 and 2/4 of Athipattu Village, Ponneri Taluk, was surveyed by the Firka-Level Surveyor on 20.02.2025. As per the survey, demarcation boundary stones were fixed by the Water Resources Department on 21.02.2025. Further, the report furnished by the Firka-Level Surveyor, Minjur, dated 17.12.2024, confirmed that: "சதவே எண்: 1/1 மற்றும் 2/4 லாண்டுகளில் புறம்போக்கில் கட்டி பாறை மற்றும் கட்டுமானங்கள் எதுவும் இல்லை."



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மேலும் கால்குமிழ் சமன் தரையாகவும், தற்போது மனது நீர் தேங்கியும் உள்ளது. Meanwhile, the enquiry conducted by the District Revenue Officer,

District Collector Office, Thiruvallur, vide reference 10th cited, was attended by the Assistant Executive Engineer, WRD, Aranlyar Basin Subdivision, Ponneri, and the report was submitted vide reference 11th cited.

Further, it is submitted that the 6th respondent has not constructed the RCC Box Cut-and-Cover culvert (Two Vent) in the aforesaid channel and the channel remains in its original condition. The 6th respondent has requested the Water Resources Department to cancel the No Objection Certificate issued to them, vide reference 12th cited, stating that it is no longer required. Accordingly, cancellation procedures have been initiated by the Department, and the No Objection Certificate will be cancelled in accordance with departmental terms and conditions.

Based on the above, it is humbly submitted that no water channel has been affected in Survey Nos. 1/1 and 2/4 of Athipattu Village, and this report is submitted on behalf of the 5th respondent, confirming that the directions of the Hon'ble High Court of Madras in W.P. No. 14127 of 2019 dated 08.05.2019 have been duly complied with by the authorities concerned.

- 20/-
Executive Engineer, WRD,
Aranlyar Basin Division,
Chepauk, Chennai-5.

Encl:

1. Hon'ble High Court order dated:08.05.2019.
 2. No Objection Certificate issued by Water Resources Department.
 3. The Firka Level Surveyor, Minjur report dated:17.12.2024.
 4. The Tahsildar, Ponneri Lr.No. Na.Ka.No. 942 / 2024 / A2 / dated: 21.12.2024.
 5. The Revenue Divisional Officer, Ponneri Lr.No. Na.ka.No.104 / 2024 / A1 / 23.12.2024
-
1. Copy submitted to the Engineer-in-Chief and Chief Engineer (General), WRD, Chepauk, Chennai-5 for kind information and necessary action.
 2. Copy submitted to the Chief Engineer, WRD, Chennai Region Chepauk, Chennai-5 for kind information and necessary action.
 3. Copy submitted to the Superintending Engineer, WRD, Palar Basin Circle, Chepauk, Chennai-5 for kind information.



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A. Copy submitted to the District Collector, District Collector Office,
Thiruvallur for kind information and necessary action.

[Signature]
Executive Engineer, WRD,
Araniyar Basin Division,
Chepauk-5.



6.A perusal of the instructions shows that the department itself has initiated cancellation proceedings of the No Objection Certificate, which is impugned in the present writ petition. They have also stated that there is no proposal to construct anything across the water channel or obstructing it in any form. The basis of the order passed by the 5th respondent is the 'No Objection Certificate' granted by the Public Works Department and since that very No Objection Certificate, as stated above is being cancelled, the foundation of the order passed by the District Collector also vanishes. Hence, suffice it to record the instructions dated 21.11.2025 and close the writ petition.

7.Accordingly, the aforesaid instructions are recorded and this Writ Petition is closed. Consequently, the connected miscellaneous petitions are closed. No costs.

29-12-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1. Government Of India

Ministry of Commerce and Industry, Department of commerce,
SEZ Section, Represented by Additional Secretary to the
government, Vanijya Bhawan, new Delhi 110 011

2. The Secretary to Government

Industries, Investment promotion and Commerce Department,
Secretariat, Chennai 600 009

3. The Special Secretary to government

Public works Department, Secretariat, Chennai 600 009

4. The Secretary to Government

Water Resources Department, Secretariat,
Chennai 600 009

5. The District Collector

first Floor, Collectorate, Thiruvallur 602001

6. The District Revenue officer

Master Plan complex, NH205, Thiruvallur 602001

7. The Revenue Divisional officer

JN road, Thiruvallur 602 001

8. The Tahsildar

Ponneri Taluk, Ponneri, Thiruvallur District

9. The Chief Engineer

Water Resources Department, Chennai Zone, Chepauk,
Chennai 600 005

10. The Executive Engineer

Araniyar Basin Division, Water Resource Department, Chennai
600 005

11. NDR Infrastructure Pvt. Ltd.,

Nandiambakkam Port Road, Nandiambakkam, Ponneri taluk
Thiruvallur District, Chennai 600 120



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V.LAKSHMINARAYANAN J.

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**WP No. 50702 of 2025 and
W.M.P.Nos.56780 & 56782 of 2025**

29-12-2025