



WEB COPY

W.P.No.6899 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.6899 of 2026

and

W.M.P.Nos.7517 & 7522 of 2026

M/s.M.S.Metals & Steels Pvt. Ltd.,
(Formerly known as M/s.MTC Business Pvt. Ltd.,)
Rep. by its Authorized Signatory M.S.Mahadevan
Carrying on business at No.147/1,
Madarpakkam Road,
Periya Obulapuram Village,
Gummidipoondi.

... Petitioner

-VS-

- 1.The District Collector,
Thiruvallur District,
Collectorate Building Complex,
Thiruvallur – 601 201.
- 2.The Tahsildar,
Periya Obulapuram Village,
Gummidipoondi Taluk,
Thiruvallur.
- 3.The District Revenue Officer,
Thiruvallur Collector Office Complex,
Thiruvallur – 601 201.



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4.The Assistant Engineer,
Public Works Department,
Water Resources Department,
Lakshmipuram Ancuit Section,
Kavaraipettai Section,
Gummidipoondi,
Thiruvallur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorarified Mandamus, calling for the entire records leading to impugned notice No.2/P/A/ka/2026 dated 30.01.2025 by the 4th respondent and quash the same as illegal, arbitrary and consequently forbearing the respondents from interfering with the petitioner's peaceful possession and enjoyment of the land bearing Survey No.128, bearing Door No.147/1, Madarapakkam Road, Periya Obulapuram Village, Gummidipoondi – 601 201.

For Petitioner : Mr.S.Vijayaragavan
for Mrs.R.Jayasree

For Respondents : Mr.A.Selvendran,
Spl. Govt. Pleader

ORDER

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

The notice dated 30.01.2025 issued by the Assistant Engineer Water Resources Organization for removal of encroachment is under challenge in the present Writ proceedings.



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2. The learned counsel for the petitioner would mainly contend that in pursuance to the notice, petitioner Company has submitted its explanation on 05.02.2026. He would further contend that it would be suffice if a direction is issued to the Authorities to consider the representation. He would also submit that the representation was submitted within 21 days from the date of receipt of the notice.

3. The learned Special Government Pleader would oppose by stating that the impugned notice came to be issued on 30.01.2025. But the reply was submitted by the petitioner only on 05.02.2026, after expiry of time granted by the Authorities to submit explanation or to remove the encroachments by themselves. Thus, the Writ Petition is to be rejected.

4. The Authorities during survey found that the petitioners encroached upon the water body, which belongs to the Water Resource Organization of Public Works Department. Thus, a notice has been issued asking the petitioner to remove the encroachment, failing which the Water Resources Organization will initiate enforcement action and remove the encroachment. No doubt, reply was filed by the petitioner belatedly on 05.02.2026. However, the encroachment is yet to be removed.



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5. Under these circumstances the respondents shall look into the representation and thereafter confirm the encroachments, if any identified and proceed with the enforcement action and remove the same and protect the water body for the benefit of the public at large. It is made clear that the encroachments in water body at no circumstances be permitted. Thus, the Authorities are expected to maintain the water body free from encroachments and protect the same as mandated by the judgments of the Apex Court as well as this Court.

6. In the result, the present Writ Petition stands **dismissed**. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S,J.,) (C.K,J.,)
25.02.2026

Index: Yes / No
Internet: Yes / No
dsa



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