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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 10430 of 2026

Mugebur Rahman

..Petitioner(s)

Vs

1. The District Collector
Chengalpattu,
Chengalpattu district
2. The Tahsildar
Pallavaram Taluk office,
Pallavaram, Chennai
3. The Assistant Engineer PWD
Irrigation Section, Water Resource
Department,
Padappai 601 301

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India for issuing certiorarified mandamus calling for the entire records pertaining to the impugned Form III Eviction Notice dated 06.02.2026 issued by the 3rd respondent quash the same as being illegal, arbitrary and without jurisdiction and consequently direct the 3rd respondent to consider and act in accordance with the entries contained in the Town Survey Land Register relating to the petitioners property.

For Petitioner(s):

Mr.S.Gunaseelan

For Respondent(s):

MR.T.Arun kumar

Additional Government Pleader



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ORDER

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

Show cause notice issued under Tamil Nadu Protection of Tanks and Eviction Act, 2007 by the Assistant Engineer, Water Resources Department, dated 06.02.2026 is under challenge in the present writ proceeding.

2. Show cause notice would not provide any cause for institution of writ proceeding.

3. Show cause notice has already been issued on 19.09.2025, and learned counsel for the petitioner would submit that explanation has already been submitted. If so, authorities have to proceed further, after taking a final decision and on identification of encroachments in water body.

4. Encroachments in water body at no circumstance be compromised, and as per the judgments of the Hon'ble Apex Court and this Court, encroachments in water body are to be removed by following the procedures as contemplated under the statutes and Rules.



5. Thus, respondents are directed to conclude the enforcement action within a period of twelve weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is dismissed. No costs.

Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.S.,J.)
17-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GD

To

1. The District Collector
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

GD

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