



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

WEB COPY

CORAM

**THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE MRS.JUSTICE N. MALA**

W.P.No.21070 of 2026

&

W.M.P.Nos.22792, 22793 & 22795 of 2026

1. Dinesh Kaliyaperumal,
S/o. Kaliyaperumal, Door No.28A,
Vennaru Lane Karai,
Needamangalam Taluk,
Thiruvavarur District-614 040.

2. K. Vijay
S/o. Kaliyaperumal, Door No.41/A/1,
ST-2, Vennaru Lane,
Katunayakkan Street,
Needamangalam Taluk,
Thiruvavarur District-614 040.

... Petitioners

Vs.

1. The Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Principal Secretary to Government,
Water Resources Department Secretariat,
Fort St. George,
Chennai - 600 009.

3.The Principal Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Chennai - 600 009.



4.The District Collector,
Thiruvavarur District, Master Plan
Complex, Nagapattinam Road,
Vilamal, Thiruvavarur 610 004.

5.The District Revenue Officer (DRO),
District revenue office, Nagai road, Collector office,
Tiruvavarur 610 004.

6.Revenue Divisional Officer,
Mannargudi Pakkuppettai Street,
Mannargudi,
Tiruvavarur District- 614 001.

7.The Tahsildar,
Rishiyur Road, Needamangalam Taluk,
Thiruvavarur District -614 404.

8.The Executive Engineer,
Water Resources Department (WRD)
Vennar Basin Division, Vilar road,
Tanjavur 613 001.

9.The Assistant Engineer,
Water Resources Department (PWD),
Vennar Basin Division, North Street
Needamangalam
Thiruvavarur district- 614 404.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the records of the 9th respondent in the Impugned Eviction Order dated 25.05.2026 issued under Rule 6(1) of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007 in respect of Survey No.12, Needamangalam Village, Mannargudi Taluk, Thiruvavarur District and quash the same as violative of the principles of natural justice, illegal, arbitrary, and unconstitutional and consequently direct the respondents, their men, employees, subordinates, agents or any other persons claiming or acting through or under them not to take any coercive



action including eviction, demolition or dispossession of the petitioners, pending consideration and disposal of the petitioners representation dated 25.05.2026 seeking issuance of Patta.

For Petitioners: Mr.K.M.D. Muhilan

For Respondents: Mr. B. Sivakollapan,
Govt. Advocate, for R1 to R9

ORDER

(Order of the Court was made by G.Jayachandran J.)

When the matter was taken up for admission, the Learned Counsel appearing for the petitioner made a pointed argument that the land in petitioner's possession and occupation does not fall within the definition of Tank to invoke provisions of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and therefore, the impugned order issued under the said Act is *per se* without any legal force.

2. This Court, on 05.06.2026, directed the Government Advocate to verify whether the representation given by the writ petitioner seeking patta and the notice issued under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 applies to the disputed area.

3. When the matter taken up for consideration today (29.06.2026), the Learned Government Advocate submitted that the land in dispute is a river bund



but does not fall within the definition of Tank under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007. Hence, the authorities have contemplated to withdraw the impugned notice and issue notice under the appropriate provision of law for removal of encroachment.

4. Recording the same, this Writ Petition is disposed of. It is always open to the petitioners herein to avail legal protection under the law if any eviction notice is issued under the appropriate provision of law. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

(Dr. G.JAYACHANDRAN, J.) & (N.MALA J.)
29-06-2026

Index :Yes/No.
Neutral Citation :Yes/No.
bsm

To,
1. The Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Principal Secretary to Government,
Water Resources Department Secretariat,
Fort St. George,
Chennai - 600 009.

3.The Principal Secretary to Government,
Public Works Department, Secretariat,
Fort St. George,
Chennai - 600 009.



WEB COPY

4.The District Collector,
Thiruvarur District, Master Plan Complex,
Nagapattinam Road,
Vilamal, Thiruvarur - 610 004.

5.The District Revenue Officer (DRO),
District revenue office, Nagai road,
Collector office,
Tiruvarur - 610 004.

6.Revenue Divisional Officer,
Mannargudi Pakkuppettai Street,
Mannargudi,
Tiruvarur District- 614 001.

7.The Tahsildar,
Rishiyur Road, Needamangalam Taluk,
Thiruvarur District -614 404.

8.The Executive Engineer,
Water Resources Department (WRD)
Vennar Basin Division, Vilar Road,
Tanjavur 613 001.

9.The Assistant Engineer,
Water Resources Department (PWD),
Vennar Basin Division, North Street
Needamangalam
Thiruvarur district- 614 404.

10. The Government Advocate,
High Court,
Madras.



WEB COPY

W.P.No.21070 of 2



Dr. G.JAYACHANDRAN, J.
AND
N.MALA, J.
bsm

W.P.No.21070 of 2026
&
W.M.P.Nos.22792, 22793 & 22795 of 2026

29-06-2026