



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K.SURENDER

W.P.No.27930 of 2021 AND

W.M.P.NO.29491 OF 2021

M.Sumathi

..Petitioner

Vs

1. The District Collector
The office of the District Collector,
Kancheepuram.
2. The Tahsildar
The Office of Tahsildar, Kundrathur,
Kancheepuram District.

..Respondent(s)

Prayer: To call for the records of the 2nd respondent in Na / Ka / No. 4360 / 2021 / A1 dated 13.12.2021 quash the same and further restrain the respondents from interfering with the petitioners property situate at S.No. 14 / 1A1A in Moulivakkam Village, Kanchipuram.

For Petitioner: Mr.S.Saravanakumar

For Respondent(s): Mr.T.Arunkumar, AGP

ORDER

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

Notice issued under the provisions of the Disaster Management Act, 2005 in Proceedings dated 13.12.2021 is under challenge in the present



writ proceedings. Section 30(2)(iii) and Section 34(k) were invoked by the authority competent for issuance of notice.

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2. The Tahsildar, Kundrathur in his counter would state that the subject land in S.No.14/1A1A is classified as "Ryot Nanjai". But in Revenue Survey, the petitioner's house is situated in S.No.4 of Moulivakkam Village, which is classified as "Government Poramboke Eri Karai" in revenue records, i.e., 'A' Register, which is highly objectionable water course poramboke.

3. In view of the said findings, the petitioner has to submit her reply along with documents, if any to defend her case by availing the opportunity to be provided by the authority under the provisions of the Disaster Management Act, 2005. The authority competent has to conduct an enquiry and ascertain clear facts for invoking the provisions of the Act and thereafter, take a final decision to continue the enforcement action.

4. In this regard, the respondents are directed to conduct a fresh survey in view of efflux of time and thereafter, conduct an enquiry and take a decision on merits and in accordance with law. The petitioner is at liberty to submit her explanation along with documents, if any to defend her case.



With the above observations, the present Writ Petition is disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

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(S.M.S.,J.) (K.S.,J.)
09-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
AR

To:

1. The District Collector
The Office of the District Collector,
Kancheepuram.
2. The Tahsildar
The Office of Tahsildar,
Kundrathur, Kancheepuram District.



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WP No. 27930 of 2



S.M.SUBRAMANIAM J.
AND
K.SURENDER J.
AR

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