



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.SURENDER

W.P.No.35584 of 2024 AND
W.M.P.NOS.38461 of 2024 and 17164 of 2025

Vasanthi

..Petitioner

-VS-

1. The District Collector
Office of District Collector,
Kanchipuram District.
2. The Tahsildar
Sholinganallur Taluk,
Chennai- 119.
3. The Forest Officer
Pallikaranai Division,
Chennai-100.
4. The District Forest Officer,
DMS, Teynampet, Chennai- 18.

... Respondents

Prayer: Calling for the records connected with the impugned show cause notice issued by the 3rd respondent in Na.Ka.No.63/ 2022 dated 07.11.2024 and quash the same and further direct the 2nd respondent to resurvey the S.No. 657/ 3A3 land physically in the presence of District Collector and demarcate the boundaries of 133 hectares of Marsh land conveyed to the 3rd and 4th respondent and consequently direct the 3rd and 4th respondent to proceed with the eviction proceedings after clearly identified the boundaries of 133 hectare Marsh land and remaining part 35 hectares of dry land in S.No. 657/3A3.



For Petitioner:
For Respondents:

Mr.M.Sakthi Narayanan
Mr.Haja Nazirudeen, AAG
Assisted by Dr.T.Seenivasan
Spl. Govt. Pleader for R3 & R4
Dr.S.Suriya, AGP for R1 & R2

ORDER

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

The show cause notice issued under the provisions of Rules 2 and 3 of 11The Tamil Nadu Forest Lands (Eviction of Encroachments) Rules, 1981 r/w Section 68-A of The Tamil Nadu Forest Act, 1882 is under challenge in the writ petition.

2. Forest Authorities identified encroachments in the forest land and issued impugned show cause notice, asking the petitioner to vacate the encroached portion of the forest land within 15 days. The petitioner, instead of submitting explanation along with documents, if any available to the authorities, has chosen to file the writ petition.

3. Learned counsel for the petitioner would mainly contend that though the contention of the respondents is that marsh land is encroached, authorities have not considered the claim set out by the petitioner.



4. Learned Additional Advocate General appearing for R3 and R4 would oppose, by stating that marsh lands were identified by Forest Officials in co-ordination with Revenue Authorities and in order to protect the livelihood of encroachers in the marsh land, Forest Department has recommended for providing alternative tenement through Tamil Nadu Urban Habitat Development Board (in short 'Board') and in turn, the Board has already allotted tenements to all eligible encroachers and orders were also issued by the Board by proceedings dated 06.01.2023. The petitioner has also been allotted with a tenement and cost of the tenement has been deposited by the Department, enabling encroachers to occupy tenements and hand over the marsh land to Forest Officials to protect the same.

5. Proceedings of the Board would show that 52 encroachers identified were allotted alternative accommodation at Maraimalai Nagar, Thailavaram Part II Scheme and therefore, the petitioner is to occupy the alternative accommodation already allotted to her under the said Scheme. As far as the impugned show cause notice is concerned, the said notice would provide no cause for filing the present writ petition. If at all the petitioner has got any defence, an explanation is to be given to competent authorities for their consideration. In any event, it is found



that the petitioner has not established any right to grant the relief as such sought for in the present writ petition.

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6. Accordingly, the Writ Petition stands dismissed. If at all the petitioner has got any document or otherwise, she is at liberty to submit the explanation along with documents, if any within a period of two weeks from the date of receipt of a copy of this order. In the event of receipt any such explanation, the same shall be considered by the competent authority and after taking a final decision, all such encroachments from the marsh land shall be evicted within a period of twelve weeks thereafter. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (K.S.,J.)
06-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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S.M.SUBRAMANIAM,J.
AND
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