



WEB COPY

WP No. 38985 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

**THE HONOURABLE Mr.JUSTICE S. M. SUBRAMANIAM
AND**

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP No. 38985 of 2025

AND

WMP NOS.43656 OF 2025 & 3434 OF 2026

1. G.Ramarajan
S/o.Ganesan,
Gundupattankadu, Iluppluli,
Moolapaalayam, Tiruchengodu Taluk,
Namakkal District.

Petitioner(s)

Vs

1. State Rep. By Its District Collector
Namakkal.

2.Assistant Collector
Sub- Collector Office,
Tiruchengodu.

3.Assistant Executive Engineer
Highways Department (Construction
And Maintenance), Tiruchengodu,
Namakkal District.

4.Special Officer/ Block Development
Officer
Elachipalayam Block,
Tiruchengodu Taluk.

5.Assistant Executive Engineer
Water Resources Department,
Rasipuram.



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6. Assistant Executive Engineer
Water Resources Department,
Irrigation No.2, Tiruchengodu Office
At Rasipuram.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari, to Quash the notices issued by the 6th Respondent vide Letter No.G17/ Assistant Engineer - (T2)/ 2025/Dated 19.08.2025 and notice issued by the 4th respondent vide proceedings Na.ka. No.01/2025-26- 5 dated 09.09.2025 directing the petitioner to remove the HP Motor and solar Panel erected after getting due permission from the 6th Respondent.

For Petitioner(s): Mr.V.Ramamurthy

For Respondent(s): Mr. T.Arun Kumar,
AGP For R1 To R3, 5 & 6
Mr.K.Suresh,
Govt. Advocate For R4.

ORDER

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

Notice issued by the Assistant Executive Engineer, Water Resources Department and the notice issued by the Executive Authority, under Section 131 of the Tamil Nadu Panchayats Act are under challenge in the present writ proceedings. Said show cause notices would provide cause for institution of writ proceedings.



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2.The learned counsel for the petitioner would submit that the petitioner himself is serving for the benefit of the public and therefore, eviction proceedings may not be executed.

3.Perusal of the impugned notice would show that the enforcement actions are initiated, after identifying encroachments in the water body. Initially, the Executive Authority, Koothampoondi panchayat has conducted field inspection and issued a notice under Section 131 of the Tamil Nadu Panchayats Act. Since the encroachers are not vacated the water body, further actions are initiated by the Assistant Executive Engineer, Water Resources Department for eviction of encroachers. Thus, the issuance of notice *per se* cannot be construed as infirm. The petitioner, in response is at liberty to submit his explanations along with the documents if any, to the competent Authority. In the event of receiving any such explanation, the same shall be considered by the Authority and thereafter, take the final decision. In the event of identifying encroachments in the water body, enforcement actions should be continued and all the encroachers from the water body are to be evicted by following procedures. The entire exercise is directed to be completed within a period of twelve(12) weeks from the date of receipt of a copy of this order.



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4. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected WMPs are also closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)
02-02-2026

Index: Yes

Speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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