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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-11-2026**

CORAM

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

**AND**

**THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN**

**WP No. 45375 of 2026**

*CNR: {HCMA012365962026}*

C.Kandasamy

Case QR

..Petitioner(s)

Vs

1. The District Collector,
   Tiruvallur District, Tiruvallur.

2. The Tahsildar,
   Avadi Taluk, Tiruvallur District.

3. The Assistant Engineer,
   Operation and Maintenance, Avadi North Section, Tamil Nadu Electricity Distribution Corporation Limited, Avadi, Chennai - 600054.

4. The Assistant Engineer,
   Water Resources Department,
   Adyar irrigation division,
   St.Thomas mount, Chennai - 600016.

5. The Registrar,
   National Green Tribunal, southern zone,
   kamarajar salai, PWD Estate, chepauk,
   triplicane, chennai - 600005.

..Respondent(s)

Writ petition filed under Article 226 of the Constitution of India issuing writ of certiorari to call for the records relating to the proposed action for demolition/removal of the petitioners residential premises on



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the allegation of encroachment in Vilinjiambakkam lake/lake inlet area issued in the notice dated on 29.03.2022 (Form-III) issued by the 4th respondent and quash the same.

For Petitioner(s): Mr.C.Lingam

For Respondent(s): Mr.K.Surender
Special Government Pleader for R 1-4
R-5 Ngt

**ORDER**

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

The present writ petition has been instituted challenging the Form III notice issued on 29.03.2022.

2. Writ petition is liable to be rejected on the ground of laches, since Form III notice issued has been challenged after a lapse of about four years.

3. The competent authority of the Water Resources Organisation Department identified encroachments in the ‘lake’ (water body). Thus, enforcement actions are initiated and Form III notice came to be issued in the year 2022.



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4. Learned Special Government Pleader appearing for the respondents 1 to 4 would submit that commercial constructions made by encroaching the water body had already been removed. In respect of other buildings, enforcement actions are continuing, and in view of the Government Order issued in G.O.Ms. No. 100, Energy (A1) Department, dated 16.09.2026, actions are initiated to disconnect the electricity service connection and for removal of encroachments from the water body.

5. Encroachments in lake at no circumstances be permitted. Water bodies are to be protected in public interest, and the Full Bench of this Court in the case of ***TK Shanmugam vs The State of Tamil Nadu***[1] also reiterated that encroachments in water bodies are to be removed by following the procedure as contemplated under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

6. In the present case, enforcement actions have already been initiated. Petitioner is at liberty to submit his explanation, if any, to the authorities in response to the notice issued within a period of 10 days from today, and the authorities shall look into the same and thereafter, proceed with the enforcement action and remove encroachments

[1] 2015 (5) LW 397



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identified in the water body and protect the same for preservation of the water to cater the needs of the public residing in that locality, and in public interest.

7. With the above observation, the writ petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petitions, if any, are closed.

**(S.M.S.,J.) (R.R.V.,J.)**
**10-11-2026**

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

GD



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To

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**S.M.SUBRAMANIAM, J.**
**AND**
**R.RAJESH VIVEKANANTHAN, J.**

**GD**

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