



W.P.(MD)No.17954of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

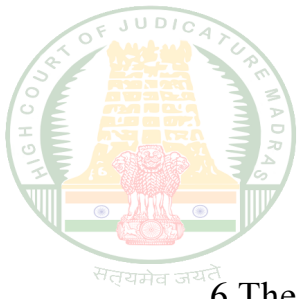
**W.P.(MD)No.17954 of 2021
and
W.M.P.(MD)No.14819, 14820 and 14821 of 2021**

P.Durairaj

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Thanjavur.
- 2.The District Revenue Officer,
Thanjavur.
- 3.The Revenue Divisional Officer,
Thanjavur.
- 4.The Tahsildar,
Boodhalur Revenue Taluk,
Thanjavur District.
- 5.The Executive Engineer,
Public Works Department,
Lower Cauvery Basin Circle,
Water Resources Division,
Thanjavur.



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6.The Assistant Engineer,
Kallanai Canal Division,
Public Works Department,
Water Resources Division,
Boodhalur, Thanjavur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relates to the impugned notice dated 2.7.2021 issued by the 6th respondent and quash the same as illegal and unconstitutional and consequently protect the actual cultivation being done by the petitioner measuring to an extent of Ac. 03.50 Cents in S.Nos.428, 429, 430, Maraneri Village, Bhoodalur Taluk, Thanjavur District, under The Tamil Nadu protected Agricultural Zone Development Act 2020 (TamilNadu Act 11 of 2020).

For Petitioner : Mr.A.Senthil Kumar

For Respondents : Mr.L.Siva,
Government Advocate.

ORDER

(Order of the Court was delivered by G.R.Swaminathan, J.)

Heard both sides.



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2.The writ petitioner challenges the impugned eviction order issued by the sixth respondent.

3.The impugned notice itself is only an implementation of the earlier order passed by the Honourable Division Bench in W.P.(MD)No.7612 of 2020 etc batch, dated 04.06.2021. Hence, it cannot be interfered with. The Honorable Division Bench had passed the following directions:-

“8.The Assistant Executive Engineer, Kallanai Channel Division, the third respondent in W.P.(MD)No.8577 of 2020 has filed a counter affidavit, clearly stating that the land is not “Tharisu poromboke land” but, it is a foreshore area of “Ayyanar Eri”. Further, it has been stated that no ‘B’ memo charges were received from the fasli year 1423 – 1429. Further, the Assistant Engineer is right in his submission that a person who has paid ‘B’ memo charges, can never state a claim for grant of patta, because levy of ‘B’ memo charges itself shows that the person is an encroacher.

9.Thus, for the above reasons, we find that the authority should take action to remove the encroachments, as expeditiously as possible, as already due procedure has been followed. However, taking note of the present pandemic situation, the authorities are directed to take action after 30.07.2021, to evict the encroachers



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and if necessary, the authorities may address the Superintendent of Police / Commissioner of Police of the District, for providing adequate police protection. The writ petitioners / encroachers shall be permitted to harvest the standing crops within the aforesaid period.”

That apart, the learned Government Advocate states the petitioner has since been evicted and counter affidavit has also been filed to that effect.

4.The writ petition is dismissed accordingly. No costs.
Consequently, connected miscellaneous petitions are closed.

**(G.R.S. J.) & (R.P. J.)
08.06.2026**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

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Public Works Department,
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Water Resources Division,
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6.The Assistant Engineer,
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and
R.POORNIMA, J.

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