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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 11601 of 2026

Navins Brookfield Welfare Association,
Rep. by its Secretary,
MR.M.Anbudasan,
No.762, medavakkam main road,
nanmangalam, kovilambakkam (P.O).,
Chennai - 600 129.

..Petitioner(s)

Vs

1. The District Collector,
Chengalpattu District,
Collectorate, G.S.T.Road,
Chengalpattu - 603 001.
2. The Revenue Divisional Officer,
Taluk Office Complex,
Opposite to Tambaram MEPZ.,
Kadaperi Village, G.S.T.Road,
Tambaram (west), chennai - 600 045.
3. The Thasildar,
Tambaram Taluk,
Taluk Office Complex, 1st Floor,
Opposite MEPZ, Kadaperi Village,
GST Road, Tambaram West,
Chennai - 600 045.
4. The Chief Engineer,
Water Resources Organisation,
Public Works Department,
Poondi,
Tiruvallur District.
5. The Assistant Engineer,
Water Resources Organisation,



Public works Department, Poondi,
Tiruvallur District.

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..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of mandamus directing the respondents to conduct re-survey of the property admeasuring an extent of 1.50 Acres comprised in Survey No.207/2, Nanmangalam, Kovilambakkam, Chennai-600 129, Chengalpattu District based on the representation dated 08.10.2025 and 17.10.2025 to the 2nd and 5th respondents respectively and based on the online petition made on 16.10.2025 and on the basis of the revenue records in the presence of an Advocate Commissioner, demarcate the boundaries of the petitioners apartment.

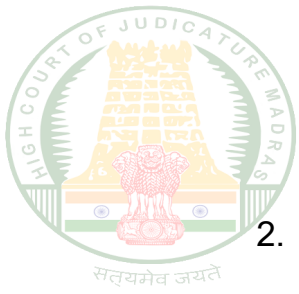
For Petitioner(s): Mr.T.Thiageswaran
for M/s.Waraon And Sai Rams

For Respondent(s): Mr.Vadivelu Deenadayalan
Additional Government Pleader for R1-5

ORDER

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

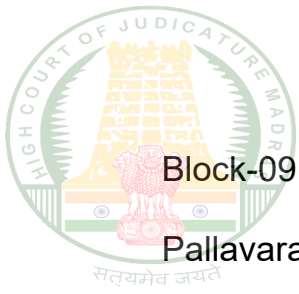
Writ Petition has been instituted to direct the respondent to conduct resurvey of the property admeasuring an extent of 1.50 Acres comprised in Survey No.207/2, Nanmangalam, Kovilambakkam, Chennai-600 129, Chengalpattu District based on the representation dated 08.10.2025 and 17.10.2025 to the 2nd and 5th respondents respectively and based on the online petition made on 16.10.2025 and on the basis of the revenue records in the presence of an Advocate Commissioner, demarcate the boundaries of the petitioners apartment.



2. The relief as such sought for in the present writ petition is misconceived, and petitioner association has made an attempt to establish their civil right in the present writ proceedings, which is impermissible.

3. Learned counsel for the petitioner would submit that based on an erroneous survey, authorities have earmarked the water body and issued notice for eviction of the portion of the land under the occupation of the petitioner association. In order to ascertain the correctness of the fact, petitioner made an application to resurvey the land. However, the date given for resurvey was not followed, but it was conducted in another date. Thus, no opportunity was given to the petitioner at the time of raising their objection during the course of resurvey.

4. Learned Additional Government Pleader appearing on behalf of the respondent would submit that initial survey was conducted and authorities found that petitioner has encroached upon the portion of Keelkattalai Tank Surplus Canal Boundary, and accordingly, notice for eviction was issued under Tank Encroachment Act. Since it is a water body, Assistant Engineer, Water Resources Organisation issued a notice to evict the encroachers. Petitioner made an application for resurvey and as per the request of the encroacher, Joint Resurvey for S.No.207 (Tambaram - Navin's And Viruksha Apartment) sharing boundaries with Keelkattalai Surplus Canal of S.No 32,



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Block-09 (Pallavaram) was conducted by Surveyors of Tambaram and Pallavaram using DGPS instrument along with Tahshildars, Revenue Inspectors of Tambaram and Pallavaram, WRD officials and encroachers on 10.12.2025. Then Tahshildar, Pallavaram has informed vide his Letter. No:4999/2024/A2, dated: 21.01.2026 that encroachments were found in Keelkattalai Tank Surplus Canal pertaining to Nawins Apartment to an extent of 137.00 Sq.m & Viruksha Apartment to an extent of 60.00 Sq.m. After resurvey the Form II notice was issued to petitioner on 22.01.2026 vide Assistant Engineer, Krishna Water Supply Project Sub Division I, Section I, Poondi based on Form II issued by Tahsidar, Pallavaram vide Lr. No:4999/2024/A2, dated: 21.01.2026.

5. Therefore, it is amply made clear by the authorities that encroachments are identified in a water body. It is a canal, which serve public good, more specifically, during rainy season. Encroachments in canal in urban areas, if not cleared, the same would result in causing flooding during rainy season. Authorities have identified the encroachments in Keelkattalai Tank Surplus Canal Boundary, and subsequently, issued notice to evict the encroachers to maintain the water body. Petitioner, if claims, title or ownership in respect of such portion of the land, they have to approach the competent Civil Court of law by impleading all necessary parties. However, Writ Court cannot adjudicate the title dispute or ascertain the civil right in a writ proceeding. Revenue authority as per their records identified the water body



and initiated enforcement action.

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6. This being the factum, petitioner has not established any right for the purpose of considering the relief. That apart, relief sought for in the present writ petition by itself appears to be in civil nature relief, which cannot be considered by the Writ Court.

7. In view of the above observations, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.S.,J.)
20-04-2026

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

GD

To

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Chengalpattu - 603 001.
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

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