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WP No. 20372 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

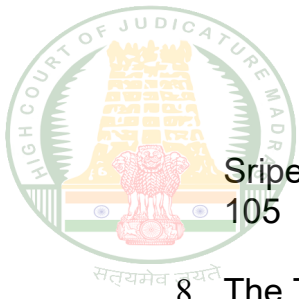
WP No. 20372 of 2024

1. V.Selvi
2. V.Devakumar
3. V.Piriyakumari

..Petitioner(s)

Vs

1. The State Of Tamilnadu
Rep By The Secretary To Government Home
Department Secretariat, Fort St George
Chennai 600 009
2. The Secretary To Government
Revenue Department Secretariat Fort St
George Chennai 600 009
3. The Secretary To Government
Water Management And Channel Irrigation
Department, Secretariat, Fort St George
Chennai 600 009
4. The District Collector
Kancheepuram District, Kancheepuram
5. The Commissioner Of Police
Tambaram Police Commissionerate
Sholinganallur Perumbakkam Sliaia,
Sholinganallur, Chennai 600 119
6. The District Revenue Officer
Kancheepuram District, Kancheepuram
Collectorate Building, Kancheepuram
7. The Revenue Divisional Officer



Sriperumbudur Kancheepuram District 602
105

8. The Tahsildar
Kundrathur Taluk, Kancheepuram District 600
069
9. The Inspector Of Police
T-5 Kundrathur Police Station Chennai 600
069
10. The Sub Inspector Of Police
T-5 Kundrathur Police Station Chennai 600
069
11. Velmurugan
Village Administrative Officer Thandalam
Vilalge Kundrathur Taluk Kancheepuram
District 600 122
12. Arasu
S/o Kannaiyan
President Thandalam Panchayat Thandalam
Vilalge, Kundrathur Taluk Kancheepuram
District 600 122
13. Sekar
S/o Kannaiyan Mariamman Koil Street,
Thandalam Panchayat Thandalam Vilalge,
Kundrathur Taluk
Kancheepuram District 600 122
14. Chief Engineer, Water Resources
Organisation, Public Works Department,
Chepauk, Chennai – 600 005
15. Assistant Engineer, Reservoir Section,
Chembarambakkam, Kancheepuram District
[R14 and 15 are suo motu impleaded as
respondents
vide order dated 24.04.2026]

..Respondent(s)

Writ Petition has been filed under Article 226 of the Constitution of



India issuing writ of mandamus directing removal of all encroachments on the channel emanating from Chembarambakkam lake and passing through No 61-Malaiyambakkam village No 65-Kollaichery village No 87-Muntram Kattai Village, No 83- Thandalam Village, No 81-Tharapakkam village and converging in the Adyar River at Manimedu in Tharapakkam village and direct initiation of action against the encroachers and the colluding officials. Further, direct the 5th respondent to enquire into the allegations against respondents 9, 10 and other officials based upon the representation dated 30.11.2023 submitted by petitioners 2 and 3.

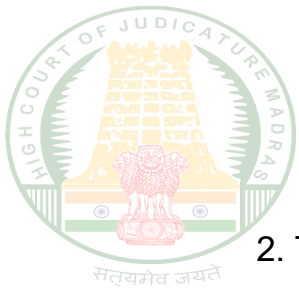
For Petitioner(s): Mr.V.S.Manimegalai

For Respondent(s): Mr.T.Arunkumar
Additional Government Pleader for R1-4, 6-8,
14&15
Mr.M.Babumuthumeeran,
Additional Public Prosecutor for R5,9&10
R11-Not ready in notice

ORDER

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

Writ of mandamus has been instituted directing removal of all encroachments on the channel emanating from Chembarambakkam lake and passing through No 61-Malaiyambakkam village No 65-Kollaichery village No 87-Muntram Kattai Village, No 83- Thandalam Village, No 81-Tharapakkam village and converging in the Adyar River at Manimedu in Tharapakkam village and direct initiation of action against the encroachers and the colluding officials. Further, direct the 5th respondent to enquire into the allegations against respondents 9, 10 and other officials based upon the representation dated 30.11.2023 submitted by petitioners 2 and 3.

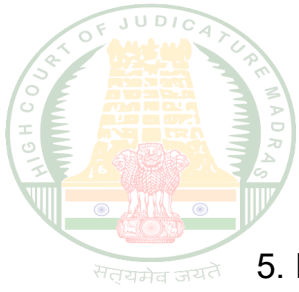


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2. The case on hand appears to have a chequered history.

3. Petitioners, as a family are residing in Mariamman Koil Street, Thandalam Village, Kundrathur Taluk, Kancheepuram District. Petitioners have given a complaint to the competent authority for removal of encroachment from water body on 28.06.2023. Since complaint was given for removal of encroachment in a water body, few encroachers have taken personal vengeance against the family members of the petitioners. On 26.10.2023, when 2nd and 3rd petitioners were proceeding to Vel's University in a scooter, they were intercepted and manhandled by Venu, S/o.Seethapathi, Wilson, S/o.Venu, Murugan, S/o.Seethapathy, their relatives Gowthaman and Anu, W/o.Venu, at the instigation of the Village Administrative Officer, Thandalam Village Panchayat and K.Arasu/President, Thandalam Village Panchayat as well as Bakyalakshmi, W/o.Thangam, Ward member. Citing the names of these persons who have manhandled the 2nd petitioner (brother of the 3rd petitioner) and 3rd petitioner (college student), a police complaint was lodged.

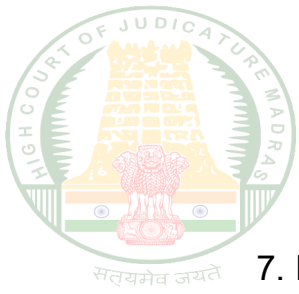
4. The complaint given by the petitioners, was not investigated properly. Contrarily, the alleged accused persons were called, and concerned police authority insisted the petitioners' family to withdraw the complaint, failing which, they will face serious consequences.



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5. In Paragraph No.18 of the writ affidavit, it is stated that 3rd petitioner is a law student. To terrorise the family members of the 2nd and 3rd petitioners, they were attacked. A representation dated 30.11.2023 was addressed to the Commissioner of Police, disclosing the commission of offences, including the offence against women affecting the modesty of women under Section 354 IPC (under Section 74 of BNS). It appears that Sub-Inspector of Police made an attempt to close the case, and there is no further action at the end of the Commissioner of Police. It is further stated that Village Administrative Officer, President, Thandalam Village Panchayat and Inspector of Police have visited the property of the petitioners' family, removed coconut trees and diverted the water channels into the property of the petitioners. It is submitted that Village Administrative Officer, Thandalam Village Panchayat allegedly insisted other persons to commit the offence. Police authorities and Panchayat Authorities have colluded with the land grabbers, and acted not only in violation of the law, but also made an attempt to protect the alleged land grabbers and encroachers in water body.

6. Learned counsel for the petitioners would submit that all these land grabbers have encroached upon the water body, and instead of removing the encroachments from the water body, officials colluded and protected the encroachers in the water body.



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7. Pertinently, one Mrs.M.Malarvizhi, Tahsildar, Kundrathur addressed a letter to the learned Government Pleader vide Na.Ka.No.2033/2024/Aa1, dated 25.09.2024 stating that survey will be conducted in respect of the encroachments in water body, and all appropriate actions will be taken for removal of the same. But even after two years, no progress has been made.

8. The very same Tahsildar, has addressed another letter on 08.10.2024 in Rc.No.23033/2024/B1, on similar line to the learned Special Government Pleader stating that appropriate action has been initiated for removal of encroachments through Public Works (Water Resources) department as per the provision under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

9. Allegation made out by the petitioners are undoubtedly serious in nature. Law Enforcing Authority, Revenue Authorities and Public Works Department Authorities, who are expected to protect the water body and Government land, are allegedly colluding with the land encroachers/land grabbers and attempting to closedown the criminal complaint given by the petitioners, and further failed to initiate all appropriate actions under law.

10. Though the writ petition is pending for the past about two years,



absolutely there is no response from the revenue authorities. Inspector of Police, Assistant Commissioner of Police, and Additional Deputy Commissioner of Police though filed counters, the facts stated in the counters appear to be insufficient with reference to the allegations set out by the petitioners in the writ affidavit. Visible insensitiveness of the authorities are deprecated, and they are undoubtedly answerable and accountable.

11. In view of the above facts as stated in the affidavit filed in support of the writ petition, and considering the facts that authorities have not responded to the writ petition for the past about two years, and also considering the fact that criminal case registered appears to be closed in an improper manner without even conducting proper investigation,

(i) Assistant Commissioner of Police, Pallavaram Range is directed to explain on what basis the criminal case registered for the offence affecting the modesty of women under Section 354 IPC (Section 74 of BNS) was closed.

(ii) Tahsildar, Kundrathur Taluk, Kancheepuram District/ 8th respondent and Assistant Engineer, Reservoir Section, Chembarambakkam, Kanchipuram District are directed to be present before this Court on 28.04.2026 and explain what all are the actions initiated to identify the encroachments in the water body, and enforcement actions initiated for removal of water body encroachments. Chief Engineer, Water Resources



Organisation, Public Works Department, Chepauk, Chennai – 600 005 and
Assistant Engineer, Reservoir Section, Chembarambakkam, Kanchipuram

District are suo motu impleaded as respondents, since encroachments are
made in water body.

(iii) Mr.Arunkumar, learned Additional Government Pleader as well as
Mr.M.Babumuthumeeran, learned Additional Public Prosecutor are directed to
communicate this order to the concerned authorities, and ensure that the
authorities are present before this Court on 28.04.2026 along with complete
details enabling this Court to consider the issues.

12. Post the matter on 28.04.2026 for further consideration.

(S.M.S.,J.) (R.S.V.,J.)
24-04-2026

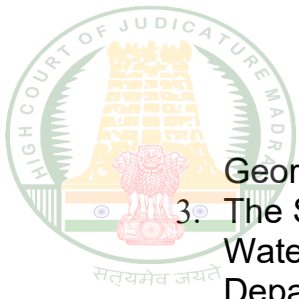
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD

Note: Issue order copy on 27.04.2026.

To

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Chennai 600 009
2. The Secretary To Government
Revenue Department Secretariat Fort St



George Chennai 600 009

3. The Secretary To Government
Water Management And Channel Irrigation
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**S.M.SUBRAMANIAM, J.
AND
R.SAKTHIVEL, J.**

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