//பதிவுத்துறை//

அனுப்புநர்

பதிவுத்துறை தலைவர்,
பதிவுத்துறை தலைவர் அலுவலகம்,
சென்னை–28.

பெறுநர்

1. அனைத்து துணைப்பதிவுத்துறை தலைவர்கள்
2. அனைத்து மாவட்டப்பதிவாளர்கள்
3. அனைத்து சார்பதிவாளர்கள்

கடித எண்.56291/சி1/2025, நாள்: 05.03.2026.

ஐயா/அம்மையீர்,

பொருள்: நீர்நிலை ஆக்கிரமிப்பு – நீதிப்பேராணை மனு எண்: 29422/2025–ல் வழங்கப்பட்ட 08.10.2025 தீர்ப்பாணையின் படி நில நிர்வாக ஆணையத்தால் பிறப்பிக்கப்பட்ட சுற்றறிக்கை– தொடர்பாக.

பார்வை: ஆணையர், நில நிர்வாக ஆணையம், சென்னை–5 கடித. எண். T4/12281866/2025 நாள். 26.11.2025.

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பொருளில் குறிப்பிடும் வழக்கின் மீது வழங்கப்பட்ட தீர்ப்பாணையின் படி நில நிர்வாக ஆணையத்தால் நீர்நிலைகளை பாதுகாத்திட பார்வையில் காணும் சுற்றறிக்கை வழி உரிய அறிவுரைகள் வழங்கி அனைத்து மாவட்ட ஆட்சியர்களுக்கும் முகவரிக்கப்பட்டு நகல் பதிவுத்துறைக்கும் அனுப்பிவைக்கப்பட்டுள்ளது.

மேற்காணும் சுற்றறிக்கையின் பத்தி எண். 8(iii)–ல் தெரிவிக்கப்பட்டுள்ளவாறு செயல்படும் பொருட்டு மேற்காணும் சுற்றறிக்கை நகல் இத்துடன் அனுப்பிவைக்கப்படுகிறது.

மேலும் நீர்நிலை தொடர்பான சர்வே எண்களை Prohibited Module–ல் உட்புகுத்தப்பட்டுள்ள விவரங்களைச் சரிபார்த்துக் கொள்ளவும் இதன் மூலம் தெரிவிக்கப்படுகிறது.

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இந்தச் சுற்றறிக்கையை அனைத்துச் சார்பதிவாளர்களும் தவறாது பின்பற்ற கேட்டுக்கொள்ளப்படுகின்றனர்.

இந்தச் சுற்றறிக்கைப் பெற்றுக்கொண்டதற்கான ஒப்புகையை சார்பதிவாளர்கள் மாவட்டப்பதிவாளர்களுக்கும் மாவட்டப்பதிவாளர்கள் துணைப்பதிவுத்துறைத் தலைவர்களுக்கும், துணைப்பதிவுத்துறைத் தலைவர்கள் பதிவுத்துறைத்தலைவருக்கும் அனுப்பி வைத்திடுமாறு தெரிவிக்கப்படுகிறது.

ஒம்/–05.03.2026
பதிவுத்துறை தலைவர்

/ஆணையின்படி/

6/3/2026
கூடுதல் பதிவுத்துறை தலைவர்
(முத்திரை மற்றும் பதிவு)

6/3/26.

நகல்:–

1. கணினி பிரிவு } பதிவுத்துறையின் இணையதளத்தில் பதிவேற்றம் செய்திடும் பொருட்டு

2. முக்கிய ஆணைக்கோப்பு

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75.

Court Case/Strict Compliance/ Most Urgent

Land Administration Department

17 DEC 2025
56291

From

Dr.K.S.Palanisamy, I.A.S.,
The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai- 600 005

To

All District Collectors
(BY RPAD)

Letter No. T4/12281866/2025, dated 26.11.2025

Sir/Madam,

Received on 4/2/2026.

Sub Encroachment- Court Case- Mailaduthurai District- Sirkazhi Taluk- Nemmeli Village- S.No. 236- Extent of 0.99.50- Land Classified as "Karikulam"- Writ Petition filed by Thiru. Prakasam – W.P.No. 29422/2025- Judgment Delivered- Direction to issue Circular to Protect Water bodies- Circular Issued- Regarding

Ref
1) Government in Revenue and Disaster Management Department Lr.(Ms).No.54444598/LD4(1)/2023 dated 29.08.2024
2) G.O.(Ms).No.101, Water Resource Department (R2) dated 30.09.2024
3) Judgment of the Hon'ble High Court of Madras in W.P.No. 29422/2025 dated 08.10.2025

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I invite attention to the reference cited.

2) One Thiru. Prakasam has filed a Writ Petiiton in W.P. No. 29422 of 2025 praying to restrain the official respondents from constructing a Public Health Centre, Panchayat Office, or any other building on the waterbody classified as "Karikulam" in S.No.236 of Valluvakudi Village, Sirkazhi Taluk, Mayiladuthurai District.

Upon which, the Hon'ble Court, in its order dated 08.10.2025, observed that the Primary Health Centre had existed in the subject land for many years, and the writ petition had been filed only after the old structure was demolished and reconstruction on the said land was commenced. The Hon'ble Court has also pointed from the affidavit filed, that six other public buildings were also functioning within the same waterbody.

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After detailed hearing, the Hon'ble Court categorically directed that no further construction shall be carried out in the remaining portion of the subject land "Karikulam" water body and instructed the Government to submit a proposal within eight weeks for relocating the existing buildings to fully clear the water body. The Hon'ble Court, further observed that it has encountered multiple cases wherein public buildings have been constructed in lands classified as water bodies, indicating that officials responsible for granting approval or sanction had permitted such constructions without verifying the nature of the land.

3) Now, to prevent recurrence of such violations, the Hon'ble High Court has directed the Government to issue clear instructions to all concerned authorities that, wherever any public building/institution is found constructed on a water body, appropriate disciplinary action and monetary recovery shall be initiated against the officials responsible for granting such approval.

4) In this connection, it is emphasized that the Hon'ble High Court, on several occasions across multiple cases, has consistently issued orders restricting constructions in water bodies and prohibiting their misuse, with the objective of preventing their degradation and preserving them for future generations. Notably, the Madurai Bench of the Hon'ble High Court, in W.P.(MD) No. 22163 of 2018 and connected batch cases, issued State-wide directions that lands classified as water body shall not be registered and that no plan approval, building permission, property tax assessment, EB connection, or water connection shall be granted for any construction within waterbodies. The Court mandated that officers/officials must verify Tamil Nilam records, undertake DGPS-based demarcation, conduct physical inspection, and record a detailed office note before granting any approval. The Hon'ble Court has also further directed that encroachments be removed by invoking either the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007, or the Tamil Nadu Land Encroachment Act, 1905. The Madurai Bench also unequivocally held that the natural flow, drainage pattern, and hydrology of water bodies shall not be altered or disturbed by any developmental activity.

5) In addition to the above direction, the Hon'ble Court in W.P. (MD) Nos. 31214 and 31221 of 2023 dated 07.03.2024, has issued detailed directions to all State authorities regarding the protection and safeguarding of water bodies. Pursuant to the said orders, the Government has also framed guidelines and procedures for granting Permission / No Objection Certificates for development activities involving land classified waterbodies, and has issued G.O.Ms.No.101, Water Resources Department, dated 07.03.2024, in this regard.

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6) Further, even with respect to regularization of encroachments in land classified as waterbody, only the relocation of the said encroachers to other unobjectionable poramboke lands is permissible, whereas said land's classification should not be altered. Accordingly, in line with the directions of the Hon'ble High Court, the Government has issued several instructions to all District Collectors for strict compliance in matters relating to encroachments by individuals, institutions, or agencies, as well as in the execution of Government development projects involving waterbodies.

7) It has also been noted in many cases that encroachers attempt to justify their occupation by citing the presence of existing Government buildings or structures constructed within water bodies. Such instances of existence of Government buildings leads to resistance/agitation by the general public during eviction operations, resulting in operational challenges and placing the authorities in a difficult position. These complications have largely arisen due to the actions/violation of certain officials who, without authority and in violation of established rules and Court directions, have permitted or facilitated the construction of public buildings or institutions within waterbodies, thereby attracting disciplinary action and recovery of loss to the public exchequer.

8) All other instructions issued in the reference 1st cited communication, along with the relevant judgments, are fully applicable to this case. (i.e public buildings in water body) Therefore, all departmental officials must strictly avoid such violations. Necessary scrutiny shall be undertaken at the district level under the chairmanship of the District Collector, and compliance shall be closely monitored and ensured without fail.

The following instructions are to be scrupulously followed:

i. Prepare a list of all public buildings, present on lands classified as water bodies.
ii. Do not approve any construction, reconstruction, repair lands classified as water bodies
iii. Registration of documents relating to lands classified as water bodies is strictly prohibited.
iv. Do not issue EB service, water connection, property tax assessment, plan approval or layout approval for any structure on lands classified as water bodies.

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v. Public buildings currently on lands classified as water bodies must be marked for relocation as per the Court order in W.P. 29422/2025 by identifying suitable alternate land.

vi. Take disciplinary and monetary recovery action against officers who allowing any unauthorized construction or service on lands classified as water bodies treat any delay or non-compliance as a clear violation of Court orders.

vii. Treat any delay or non-compliance as a clear violation of court orders.

viii. Remove encroachments by following the relevant Acts without deviation.

ix. Maintain proper records including classification extracts, inspection notes and photographs.

Yours faithfully,
Sd/- K.S.Palanisamy
Commissioner of Land Administration

Copy to:-

1) The Additional Chief Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Chennai -09 (for kind information)

2) The Additional Chief Secretary to Government,
Public Works (Buildings, Highways and Minor Ports),
Secretariat, Chennai -09 (for kind information)

3) The Additional Chief Secretary to Government,
Environment, Climate Change and Forest Department
Secretariat, Chennai -09 (for kind information)

4) The Additional Chief Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai -09 (for kind information)

5) The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai -09 (for kind information)

6) The Principal Secretary to Government,
Municipal Administration Water Supply Department,
Secretariat, Chennai -09 (for kind information)

7) The Principal Secretary to Government,
Food Co-operation, Food and Consumer Protection Department,
Secretariat, Chennai -09 (for kind information)

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8) The Secretary to Government,
Water Resources Department,
Secretariat, Chennai -09 (for kind information)

9) The Inspector General of Registration
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram,
Chennai- 600 028 (for kind information)

10) The Director of Survey and Settlement,
Survey House, Chepauk,
Chennai -09 (for kind information)

17/12/2025

For Commissioner of Land Administration

2/11

17/12

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