



W.P.(MD)No.2458 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2458 of 2015

R.Somuraj

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tashildhar,
Tashildhar Office,
Vedasunthur,
Dindigul District.

3.Shanthi

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to restore irrigation canal (odai) in S.No.1529/2 and 1530, Palayam Village, Venadasunthur Taluk, Dindigul District.

For Petitioner : Mr.V.Balaji

For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R.1 and R.2

Mr.R.G.Shankar Ganesh for R.3



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ORDER

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Heard both sides.

2. The petitioner wants the petition mentioned channel to be restored. The stand of the official respondents is that there is no Odai as claimed by the petitioner. But then in the affidavit it is stated that there is a small detailed odai in the southern corner of Survey No.1530 to the length of 10 feet only. I fail to understand as to how only for 10 feet there can be a odai. The odai in the very nature of things will have to link one point with another point. But the second respondent states that there is a cart-track on ground. Whether it is a odai or a cart-track it must be kept free of encroachment. Secondly, the natural flow of water must also be ensured.

3. With this direction to the second respondent, this writ petition is disposed of. There shall be no order as to costs.

15.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA



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G.R.SWAMINATHAN,J.

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