

W.P(MD)No.14103 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.05.2025

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
AND
THE HONOURABLE MR.JUSTICE R. SAKTHIVEL**

**W.P(MD)No.14103 of 2025
and
W.M.P.(MD) No.10226 of 2025**

V.Sankaran

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.
- 3.The Executive Engineer,
Saruganiyaaru River Conservation
Division (PWD),
O/o. River Conservation Division,
Sivagangai District.
- 4.The Superintendent of Police,
Sivagangai, Sivagangai District.
- 5.The Inspector of Police,
Palaiyanur Police Station,
Thiruppuvanam Taluk, Sivagangai District.



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6.The Assistant Director,
O/o. The Assistant Director of Fisheries,
Department of Fisheries,
Perumal Kovil Street,
Sivagangai District-630 561.

7.The Special Officer/Block Development Officer,
Thiruppuvanam Panchayat Union,
Thiruppuvanam, Sivagangai District.

8.S.Alagu Chellasamy @ Rajendran

9.M.Veeramani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus for bearing the respondent nos. 1 to 7 from allowing the respondent nos.8 and 9 to carry out fishing activities in Piramanur Kanmai situated at S.F Nos.424 and 425, Piramanur village, Thiruppuvanam Taluk, Sivagangai District and consequently directing the respondent Nos.1 to 7 to preserve and use water in Piramanur, Vayalseri and Vaadi Villages of Thiruppuvanam Taluk, Sivagangai District based on the petitioner's representation dated. 30.04.2025.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.A.Kannan
Additional Government Pleader
for RR1 to 3, 6 & 7



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: Mr.A.Thiruvadikumar
Additional Public Prosecutor
for RR4 & 5

: Mr.S.Udhayakumar – for R8

ORDER

[Order of the Court was made by M.DHANDAPANI, J.]

The petitioner has filed this writ petition for a mandamus forbearing respondents 1 to 7 from allowing respondents 8 and 9 to carry out fishing activities in Piramanur Kanmai situated at S.F.Nos.424 and 425, Piramanur Village, Thiruppuvanam Taluk, Sivagangai District and consequently directing respondents 1 to 7 to preserve and use water in Piramanur, Vayalseri and Vaadi Villages of Thiruppuvanam Taluk, Sivagangai District based on the petitioner's representation dated. 30.04.2025.

2. The learned counsel for the petitioner would submit that the petitioner is a farmer. In his village, there is a kanmai namely Piramanur Kanmai situated in SF.Nos.424 and 425, which is about 750 acres and the petitioner and other villagers are beneficiaries of the said kanmai. They

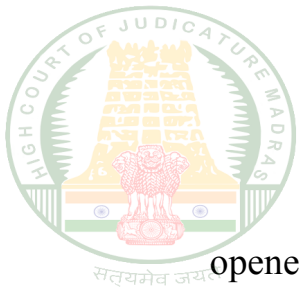


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are harvesting *muppogam*. The main source of the water for the above said kanmai is the Vaigai River. While so, the eighth respondent claims that he was elected as Water Resources Association President and he assumes that he is entitled to lease out fishing rights in favour of the ninth respondent, who closed down the shutters and stored water in the said kanmai for illegal fishing preventing the petitioners and others using the water for irrigation. Therefore, the present writ petition.

3. The learned counsel for the petitioner would submit that admittedly, the said kanmai is belonged to Public Works Department. Only the Public Works Department has right over the said kanmai and they alone are entitled to grant fishing rights in favour of third parties by way of auction. Accordingly, he prayed for appropriate direction to be issued to the Public Works Department to release the water periodically to the benefit of the villagers and Aayakattudhars.

4. The learned counsel appearing for the eighth respondent would submit that the eighth respondent has no right over the kanmai and the kanmai belongs to the Public Works Department. The petitioner himself

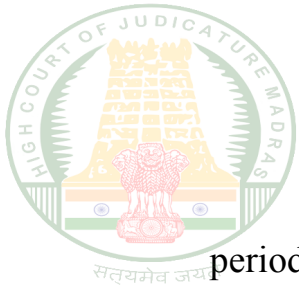


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opened the shutters without the knowledge of the Public Works Department. Therefore, the eighth respondent made a complaint to the Public Works Department, which in turn made a complaint before the Law Enforcing Agency which assigned CSR No.590 of 2025 and the petitioner has no *locus standi* to file the present writ petition. However, the learned counsel for the eighth respondent would submit that the eighth respondent has no objection to the release of the water by the Public Works Department.

5. The learned Additional Government Pleader appearing for the official respondents would submit that the entire kanmai belongs to Public Works Department and the petitioner, the eighth and ninth respondents have no power to interfere with the administration of the knamai. Only the Public Works Department has control over the kanmai and periodically water will be released to the beneficiaries.

6. Recording the submission of the learned Additional Government Pleader, this Writ Petition is disposed of, however with a direction to respondents 3 and 4 to release the kanmai water to the Aayakattudhars



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periodically. There shall be no order as to costs. Consequently,
connected miscellaneous petition is closed.

[M.D.I., J.] [R.S.V., J.]
09.05.2025

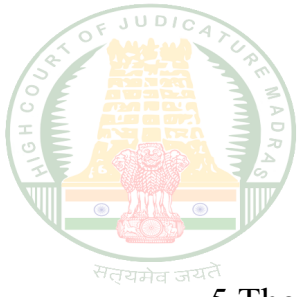
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Internet: Yes/No
NCC: Yes/No

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To

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2. The Tahsildar,
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O/o. The Assistant Director of Fisheries,
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