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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WP No. 11172 of 2024

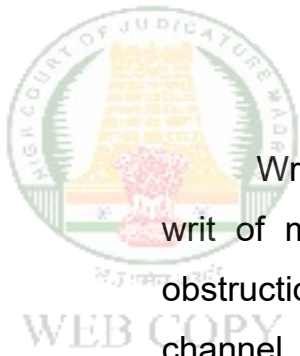
K.Arthanari

..Petitioner(s)

Vs

1. The District Collector
Salem District.
2. The Commissioner
Tharamangalam Township,
Salem
3. The Revenue Divisional Officer
Salem
4. The Tahsildar
Tharamangalam Taluk, Salem
5. The Chief Engineer, Office Of The
Construction And
Maintenance, Chepauk, Chennai-5.
6. The Divisional Engineer
Highways, Construction And Maintenance,
Edappadi, Salem .
7. The Assistant Engineer
Highways, Construction And Maintenance,
Omalur, Salem District.
8. The Executive Officer
Tharamangalam Township,
Tharamagalam, Salem District.

..Respondent(s)



Writ Petition filed under Article 226 of the Constitution of India issuing writ of mandamus directing the respondents no.2 and 8 to remove the obstructions / blockages in 10/ 2- 10 /4 CULVERT- 3 vent (eyes) water channel lying at Edapaadi,Salem put up by the 8th respondent orders on petitioner's detailed representation dated 31.03.2023 within reasonable period of time as stipulated by this Court.

For Petitioner(s): Mr.R.Venkatesan

For Respondent(s): Mr.T.Arunkumar
Additional Government Pleader for R1, 3 -8
Mr L.P.Maurya
Standing Counsel for R2

ORDER

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

Writ of mandamus has been instituted to direct the respondents no.2 and 8 to remove the obstructions / blockages in 10/ 2- 10 /4 CULVERT- 3 vent (eyes) water channel lying at Edapaadi,Salem put up by the 8th respondent orders on petitioner's detailed representation dated 31.03.2023 within reasonable period of time as stipulated by this Court.

2. In pursuance to the institution of the writ proceeding, authorities conducted field inspection and found the grievances of the petitioner is genuine. Commissioner, Tharamangalam Municipality filed a counter affidavit stating that Municipality had already addressed a concern raised by the Assistant Engineer Highways, Construction and Maintenance, Omalur in their letter dated 26.04.2024. Municipality further clarified in their letter dated



29.05.2024 to initiate appropriate action.

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3. Except mutual correspondences between the authorities, no fruitful actions are initiated to remove the obstruction. Though the authorities found that the obstruction are causing health hazards to the residents of that locality, they have not shown any sensitiveness in redressing the grievances of the residents of that locality. Assistant Engineer, Highways in his counter affidavit stated as follows,

“ ...

8) I respectfully submit that from Para no. 6 to 11, the Petitioner has mentioned the representations regarding the culvert blockage. In response from the highway department to the representation, the 6th respondent directed the 8th respondent to remove the obstruction of the said culvert vide K.A.No. Road encroachment/ 2015-16/AE/Dated 11.11.2015 and to answer the RTI dated 21.12.2015, it is clearly mentioned that "the culvert (3 vents of each 1m size) is located at Km 10/4 of Omalur Sankari Tiruchengode - Paramathi road. In this culvert, now there is only one vent is in usable condition the remaining two vents are blocked by the construction of approach road (In survey no.176) to the bus stand and it is instructed to remove the blockage" and to the representation dated 20.10.2022 from the Petitioner's brother, the Special Deputy Collector, Salem also directed the 2nd respondent to remove the blockages but so far no actions were taken by the



Municipal Commissioner, Tharamangalam
(Respondent 2). In recent, Immediate Superior to the
7th respondent directed the Commissioner,
Tharamangalam Municipality, to remove the
blockages in the said culvert vide
K.No.2024/JDO/Dated: 26.04.2024 but no actions
were taken so far..

9) I humbly submit that once the encroachment
made by the Tharamangalam Municipality on the
said culvert is removed, then the culvert will be
restored to the original position.”

4. In view of the allegations raised by the petitioner as well as the counter affidavit filed by the Assistant Engineer and Commissioner, Tharamangalam Municipality, respondents are directed to initiate all enforcement actions, and clear obstructions and ensure clean environment to the residents of that locality within a period of 12 weeks from the date of receipt copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.B.,J.)
30-03-2026

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



GD

To

1. The District Collector
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Tharamangalam Township, Salem .
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**S.M.SUBRAMANIAM, J.
AND
K.KUMARESH BABU, J.**

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