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W.P.(MD)NO.7996 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.7996 of 2026

Moorthy

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Superintending Engineer,
Public Works Department /
Water Resource Department,
Lower Vaigai Basin Circle,
District Collectorate Campus,
Sivagangai,
Sivagangai District.
3. The Executive Engineer,
Public Works Department /
Water Resource Department,
Lower Vaigai Basin Circle,
District Collectorate Campus,
Sivagangai,
Sivagangai District.
4. The Assistant Executive Engineer,
Public Works Department/
Water Resource Department,



Sarugani River Basin Sub Division,
District Collectorate Campus,
Sivagangai,
Sivagangai District.

5. The Assistant Executive Engineer,
Public Works Department,
Buildings(Construction and Maintenance),
Sub Division III,
Manamadurai,
Sivagangai District.
 6. The District Officer,
Fire and Rescue Department,
District Collectorate Complex,
Sivagangai,
Sivagangai District.
 7. The Inspector of Police,
Ilayankudi police station,
Ilayankudi, Sivagangai District.
 8. The Special Officer /
Block Development Officer,
Ilayankudi Panchayat Union,
Ilayankudi,
Sivagangai District.
 9. The Special Officer/Block Development Officer,
Thayamangalam Panchayat,
Thayamangalam,
Sivagangai District.
 10. The Returning Officer / Tahsildar,
Manamadurai (Reserved) Constituency,
Manamadurai,
Sivagangai District.
- ... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, directing the respondents to grant permission to the petitioner to install and operate amusement rides and other entertainment things from 29.03.2026 to 08.04.2026 in Government poramboke land, which is treated as water body and situated near Arulmigu Muthumari Amman temple, in S.No.73, Thayamangalam Village, Ilayankudi Taluk, Sivagangai District as narrated in the petitioner's representations dated 02.03.2026 and 16.03.2026 within a time frame as fixed by this Court.

For Petitioner : Mr.P.Santhana Krishnan

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R-1 to R-6, R-9 & R-10.

Mr.K.Gnanasekaran,
Government Advocate for R-7.

Mr.S.Vinodh,
Government Advocate for R-8.

* * *

ORDER

Heard both sides.



2. The petitioner has been installing and operating amusement rides in the petition mentioned land in connection with the annual temple festival of Arulmighu Muthumari Amman temple, Thayamangalam Village, Ilayankudi. The petitioner used to obtain NOC from the local body all these years. But this year, the petitioner has been directed to approach the Water Resource Department since as per the revenue record, survey No.73 Thayamangalam Village has been classified as a water body.

3. We posed a specific question to the learned Additional Government Pleader to ascertain the water level in the petition mentioned water body. It is stated by the learned Additional Government Pleader on written instructions from the officials concerned that the land is utterly dry. Since the petitioner has been conducting such amusement rides for the past thirty years, no prejudice will be caused by directing the concerned authorities of WRD(R2 to R4) to grant permission for this year also by stipulating appropriate conditions.

4. Since the festival is to commence on 29.03.2026, we direct



the competent authority from the Water Resource Department, Lower Vaigai Basin Circle, Sivagangai to issue permission to the petitioner in this regard forthwith. This writ petition stands allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
26.03.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

Note : Issue order copy on 26.03.2026.

To:

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District Collectorate Campus,
Sivagangai,
Sivagangai District.
3. The Executive Engineer,
Public Works Department /
Water Resource Department,
Lower Vaigai Basin Circle,
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Sivagangai,
Sivagangai District.

4. The Assistant Executive Engineer,
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