

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.17895 of 2016

S.Manikandan

... Petitioner

-vs-

1.The District Collector,
Thiruvallur District.

2.The Divisional Assistant Engineer,
(Arani River Irrigation),
Uthukkottai, Thiruvallur District.

3.The Tahsildar,
Uthukkottai, Thiruvallur District.

4.The National Highways
Uthukkottai Periyapalayam High Road,
Thumpakkam Village, Uthukkottai
Taluk, Thiruvallur District.

5.The Public Works Department,
Uthukkottai Periyapalayam High Road,
Thumpakkam Village, Uthukkottai
Taluk, Thiruvallur District.

6.M/s.Arulmigu Nayagi Swamigal
Sourashtra Educational Trust,
Uthukkottai Taluk,
Thiruvallur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 3 to consider and dispose the representations of the petitioner dated 11.04.2016 by directing respondents 1 to 3 not to permit any pathway or any over bridge upon the poromboke water channel in Survey No.29 in Uthukkottai Taluk adjoining to Thandalam and Thumbakkam Village, at 60 Thandalam Village Uthukkottai - Periyapalayam High Road which is in between

the National Highways Uthukkottai Periyapalayam High Road and property of M/s.Arulmigu Nayagi Swamigal Sourashtra Educational Trust in Survey No.24/1A & 25/1A by the sixth respondent.

For Petitioner : Mr.R.Y.George Williams
For Respondents : Mr.T.N.Rajagopalan,
Spl.G.P. For RR 1 to 5
: Mr.S.Janarthanan for R-6

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The apprehension of the petitioner that the water channel will be blocked on account of the construction carried out by respondent no.6 does not appear to be apparent from record. There are stated to be two small water channel on either side of the road which is used by two villages. It is the case of the petitioner that if that channel is blocked, prejudice will be caused to both the villages and that there is no access to the construction made by respondent no.6 from road without blocking the channel.

2.At present, no such blockage exists. If the sixth respondent connects the road to the property by taking a bridge like structure over the channel, there would be no impediment. This should be ensured by the sixth respondent so that the flow in the water channel is not affected.

3.Writ petition is closed in the aforesaid terms. No costs. Consequently, W.M.P.No.15592 of 2016 is also closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Thiruvallur District.
- 2.The Divisional Assistant Engineer,
(Arani River Irrigation),
Uthukkottai, Thiruvallur District.

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Uthukkottai, Thiruvallur District.

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Uthukkottai Periyapalayam High Road,
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Taluk, Thiruvallur District.

5.The Public Works Department,
Uthukkottai Periyapalayam High Road,
Thumpakkam Village, Uthukkottai
Taluk, Thiruvallur District.

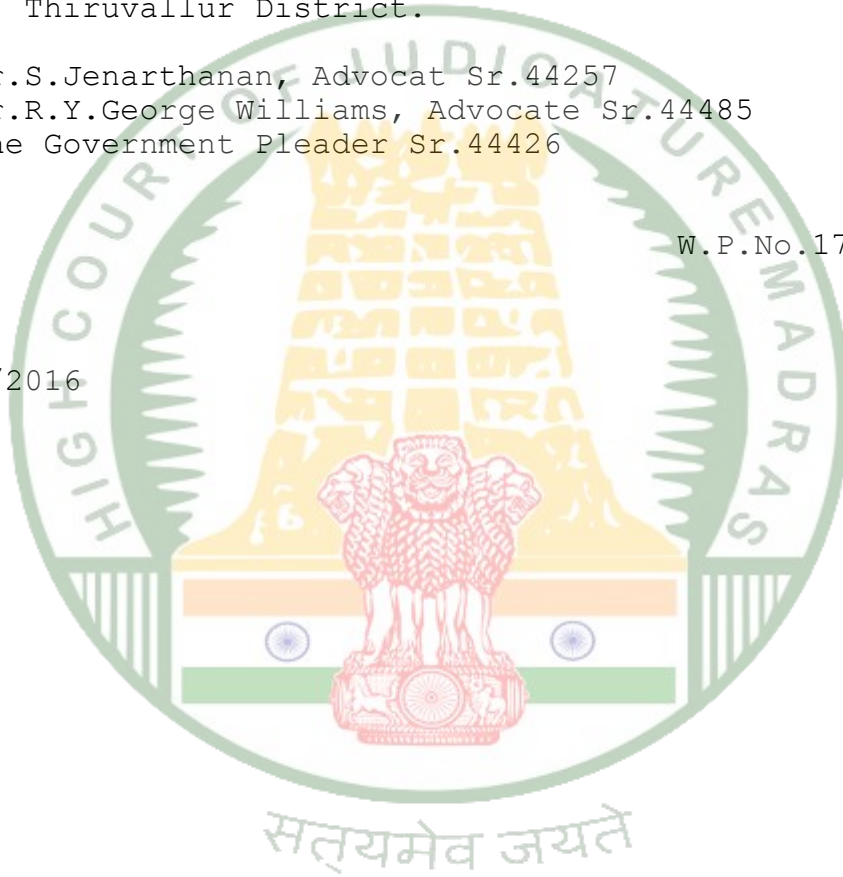
+1cc to Mr.S.Jenarthanan, Advocat Sr.44257

+1cc to Mr.R.Y.George Williams, Advocate Sr.44485

+1cc to the Government Pleader Sr.44426

W.P.No.17895 of 2016

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srg 24/08/2016



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