



*W.P.(MD)No.7660 of 2023*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 27.07.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**  
and  
**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.7660 of 2023  
and  
W.M.P.(MD)No.7121 of 2023

R.Vijayakumar

... Petitioner

Vs.

- 1.The Joint Chief Engineer,  
O/o.Chief Engineer,  
Water Resource Department (WRO),  
PWD Compound,  
Chepauk,  
Chennai.
- 2.The District Collector,  
Trichy District,  
Trichy.
- 3.The Assistant Engineer,  
Public Works Department (M & M),  
Subramaniyapuram,  
Pudukkottai Road,  
Trichy.
- 4.The Executive Engineer,  
Public Works Department,  
Water Resource Department (WRO),



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Near District Court,  
Cantonment,  
Trichy.

5.The Commissioner of Police,  
Trichy City,  
Trichy.

6.The Superintendent of Police,  
Trichy District,  
Trichy.

7.The Inspector of Police,  
Srirangam Police Station,  
Trichy.

8.The Inspector of Police,  
No.1-Tollgate Police Station,  
Trichy.

9.The Divisional Manager,  
Southern Railways,  
QMVM+G94, Bharathiyar Salai,  
Sangiliyandapuram,  
Trichy-620 001.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to construct a check dam across the Uthamarseeli to Vengur Village at Cauvery River tributary and check dam across the Kilikudu to Idaiyattrumangalam Village in the Kollidam River tributary, Trichy for the purpose of maintaining sand deposit level under the railway bridge pillars to protect the railway bridge, based upon the petitioner's representation dated 24.01.2023.



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For Petitioner :Mr.V.Karuna

For Respondents :Mr.R.Baskaran  
Additional Advocate General  
assisted by Mr.V.Balasubramani  
Special Government Pleader for R1 to R8

: Mr.K.Govindarajan  
DSGI for R9

### **ORDER**

Heard the learned counsel on either side.

2. This writ petition has been filed in public interest. The petitioner's case is that unless a check dam is constructed in the petition mentioned site in the kollidam river, the stability of the railway bridge will be seriously affected. On the last occasion, we directed the officials of the PWD as well as southern railway to conduct joint inspection and file a report. Pursuant to the direction, inspection was conducted and it has been signed by the officials of WRD as well as the southern railway. The relevant portion of the report reads as follows:-

“The Chennai-Trichy Road Bridge (SHU 9) is located across the Coleroon River at 700 M downstream of Railway Bridge. In order to avoid further sand erosion, providing bed protection by way of constructing a cut-off wall from 10 M downstream side of the Road bridge. The above work is being carried out by the Highways Department vide Government Order



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No.G.O(Ms)No.72/Highways and Minor Ports (HP2) Department, dated 19.05.2020 at a cost of Rs.655.00 lakhs.

By constructing the above bed protection work sand will get accumulated in the upstream portion near railway bridge pile. This will prevent further sand erosion at railway bridge. Hence after completion of the above protection works the erosion of sand will be prevented totally. It will also protect the railway bridge.”

3.Since allegations made by the petitioner has been borne out, we direct the State to construct a cut-off wall as proposed in the aforesaid report. Such a wall shall be constructed within a period of six months from the date of receipt of a copy of this order.

4. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

**[G.R.S., J.] [B.P., J.]**  
**27.07.2023**

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