



W.P(MD)No.20873 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.20873 of 2015
and
M.P(MD)No.2 of 2015**

1. Rm.Karuppiah Pillai
2. S.M.S.Ganesan
3. R.Pandian
4. M.Thirunavakarasu

... Petitioners

vs.

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Avudaiyarkovil,
Pudukkottai District.

3. The Assistant Executive Engineer,
Sub-Division South Vellar,
Public Works Department,
Arantangi & Taluk,
Pudukkottai District.

4. The Tahsildar,
Chathiram Department,
Thanjavur & District.

5. The President,
Village Panchayat Board,
Chathirampattinam Mimisal & Post,
Avudaiyarkovil Taluk,
Pudukkottai District.



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6. K.Ravichandran
S/o.Karuppiyah Udayar,
Thathani Village,
Kanadu Post,
Manamelkudy Taluk,
Pudukkottai District.

... Respondents

(Cause title of the respondents 3 and 6 is amended as per the order dated 30.11.2023 made in WMP(MD)No.3044 of 2016)

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 to 5 particularly 1st Respondent to maintain the 20 outlets of Koluvanaru Bridge at ECR Road, Chathirampattinam, Mimisal Village, Avudaiyar Kovil Taluk, Pudukkottai District, for free flow of water from West to East removing the blockade made by the 6th Respondent.

For Petitioner	: Mr.N.Balakrishnan
For R1 to R4	: Mr.P.Thilakkumar, Government Pleader
For R5	: No appearance
For R6	: Mr.T.Antony Arul Raj

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.N.Balakrishnan, learned counsel for the petitioner, Mr.P.Thilakkumar, learned Government Pleader appearing for the respondent Nos.1 to 4 and Mr.T.Antony Arul Raj, learned counsel appearing for the respondent No.6.

2. The learned counsel for the petitioner submits that the respondents 1 to 5 may be directed to maintain the 20 outlets of



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Koluvanaru Bridge at ECR Road, Chathirampattinam, Mimisal Village, Avudaiyar Kovil Taluk, Pudukkottai District, for free flow of water from West to East by removing the blockade made by the 6th Respondent.

3. According to the learned counsel for the petitioner, because of the obstruction of the free flow of water, the lands of the petitioner are inundated.

4. The learned Advocate for the respondent No.6 submits that similar petitions were filed in W.P(MD)Nos.22002 and 23371 of 2015 against the construction carried out by the respondent No.6. The said writ petitions were dismissed. It is further submitted that a survey was conducted by the District Collector in the presence of the petitioner and the Collector found that there was no encroachment made by the respondent No.6.

5. The contention of the petitioner is only that the outlets of Koluvanaru Bridge be maintained for free flow of water.

6. If there is any obstruction to the free flow of water, then it is for the authorities to take necessary steps. In case, there is an obstruction to the free flow of water, the petitioner may file necessary



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application with the authorities concerned. On receipt of such application, the authorities concerned shall consider the same and take a decision on its own merits and considering the site situation.

7. With these observations, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.V.G., C.J.]

[L.V.G., J.]

30.11.2023

Index : Yes / No
Neutral Citation : Yes / No
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THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

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