



W.P.(MD)No.17121 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.09.2024

CORAM

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

W.P(MD)No.17121 of 2024

Thavamani

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai-625 020.
- 2.The Commissioner of Municipal Corporation,
Corporation of Madurai,
Aringar Anna Maligai,
Madurai-625 002.
- 3.The Superintending Engineer,
Madurai Region Periyar – Vaigai Basin Circle,
Public Works Department (Water Resources Department)
Thallakulam,
Madurai-625 002.
- 4.The Executive Engineer,
Public Works Department (Water Resources Department)
Periyar-Vaigai Canal,
Melur,
Thallakulam,
Madurai-625 002.



W.P.(MD)No.17121 of 2024

5.The Tahsildar,
Madurai East Taluk Office,
Narasingam,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents No.1 to 6 to restore the Uthangudi School Oorani (Water Body) which is situated in Survey No.54, Uthangudi Village, Melur Main Road, Madurai District and to further direct the respondents No.1 to 6 to renovate the inflow and outflow water channels by considering the petitioner's representation dated 04.02.2024 within a stipulated time that may be fixed by this Court.

For Petitioner :Mr.Henri Patrick Tiphange

For Respondents :Mr.Veerakathiravan
Additional Advocate General III
assisted by Mr.R.Raghavendran
Government Advocate
for R1, R3 to R5
: Mr.K.Manisekaran
for R2

ORDER

Heard both sides.

2. All that the petitioner wants is restoration of Uthangudi School Oorani to its original position.



W.P.(MD)No.17121 of 2024

WEB COPY

3. It is well settled that encroachments on a water body are impermissible. The corporation survey's report itself indicates that inside the Oorani, encroachments have been committed. We direct the respondents herein to clear all the encroachments not only in the water body but also in the outlets and the inlets. The entire exercise shall be completed by the respondents within a period of three months from the date of receipt of a copy of this order.

4. The Writ Petition is allowed. No costs.

[G.R.S., J.] [B.P., J.]
03.09.2024

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

To

1.The District Collector,
Madurai District,
Madurai-625 020.

2.The Superintending Engineer,
Madurai Region Periyar – Vaigai Basin Circle,
Public Works Department (Water Resources Department)
Thallakulam,
Madurai-625 002.



WEB COPY



W.P.(MD)No.17121 of 2024

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

rmi

3.The Executive Engineer,
Public Works Department (Water Resources Department)
Periyar-Vaigai Canal,
Melur,
Thallakulam,
Madurai-625 002.

4.The Tahsildar,
Madurai East Taluk Office,
Narasingam,
Madurai District.

W.P(MD)No.17121 of 2024

03.09.2024