



W.P (MD).No.12249 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.12249 of 2018

Kalaimani

... Petitioner

Vs.

1.The District Collector,
Karur, Karur District.

2.The Tahsildar,
Kulithalai,
Karur District.

3.The Executive Engineer,
Public Works Department,
Water Resources Conservation Department,
River Protection Division,
Trichy.

4.The Assistant Executive Engineer,
Public Works Department,
Water Resources Conservation Department,
River Protection Sub Division,
Kulithalai, Karur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter NO.29/2017 dated 28.11.2017 passed by the fourth respondent and quash the same and consequently direct the respondents to permit the petitioner to construct the bridge over the Kattalaimettuvaikal



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Channel at K.Seegampatti, Karuveppanaickanpettai Village, Kulithalai Taluk,
Karur District.

For Petitioner : Mr.R.Rajaraman
For Respondents : Mr.D.Gandhi Raj
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the fourth respondent dated 28.11.2017 thereby the request made by the petitioner to lay a cement pipe as a bridge in order to cross Kattalaimettuvaika Channel situated at K.Seegampatti, Karuveppanaickanpettai Village, Kulithalai Taluk, Karur District.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner owned an agricultural land comprised in Survey No. 364/3, Patta No.2121 situated at K.Seegampatti Village near Kattalaimettuvaikal Channel. The Kattalaimettuvaikal Channel is running adjacent to the petitioner's land in Survey No.364/3, therefore, the petitioner has no access to reach his agricultural land to do the cultivation. Therefore, the



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petitioner submitted a representation seeking permission to construct a bridge over the Kattalaimettuvaikal channel by laying a cement pipes.

4. Mr.D.Gandhi Raj, learned Special Government Pleader appearing for the respondents, on instructions, would submit that if the petitioner is permitted to construct a bridge by laying cement pipes, during rainy season there is a significant risk of obstruction to the free flow of water by debris. Therefore, if the petitioner construct the over bridge without laying cement pipes under the bridge, it will not cause any obstruction for free flow of water during the heavy rain.

5. In view of the above submission, the petitioner is directed to construct the bridge over Kattalaimettuvaikal Channel without laying any cement pipes under the bridge.

6. With the above direction, the writ petition is disposed of. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

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G.K.ILANTHIRAIYAN, J.

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