



W.P(MD)No.24585 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.10.2024

CORAM

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

W.P(MD)No.24585 of 2024

and

W.M.P(MD)No.20926 of 2024

1.M/s.Abdul Kalam Science Farmers
People Security Association,
Represented by its State President
G.Abel Moorthy,
S/o.Gurusamy,
59/2, Muthu Thevar Colony,
Virathipattu,
Madurai – 625 016.

2.M/s.Abdul Kalam Science Farmers
People Security Association,
Represented by its Karumathur President
L.Chellapandi,
S/o.Lakshmanan,
Mottai Nayakanpatti,
Karumathur,
Usilampatti Taluk,
Madurai – 625 514.

... Petitioners

Vs.

1.The District Collector,
Madurai District.



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2.The Executive Engineer – WRD (PWD),
Water Resource Department,
Periyar Vaigai Basin Division,
Madurai – 625 002.

3.The Block Development Officer,
Chellampatti Panchayat Union,
Usilampatti Taluk,
Madurai District.

4.The Tahsildar,
Usilampatti Taluk,
Madurai District.

5.The President,
Karumathur Village,
Usilampatti Taluk,
Madurai District.

6.Kasinathan

7.Chellaiah

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the Five Unlawfully Constructed Barriers, Constructed in the “Thirumangalam Pradhana Vaigai Pasana Kalvai - Thirumangalam Predominant Vaigai Irrigation Water Channel”, restricting the water flow through the Western Channel leading to Chettikulam Water Tank.

For Petitioners : Mr.K.R.Laxman

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1, R.2, R.4 & R.5



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Mr.J.Ashok
Additional Government Pleader
for R.3

ORDER

Heard both sides.

2.The petitioners are aggrieved by the construction of a check dam in the petition mentioned canal. We are clearly of the view that it is more an issue raising riparian rights. There is no threat to water body as such.

3.We therefore dispose of the writ petition by granting liberty to the petitioners to file an appropriate suit before the jurisdictional civil Court. We have not gone into the merits of the matter.

4.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
22.10.2024

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

To

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