



W.P(MD)No.30964 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2024

CORAM

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

W.P(MD)No.30964 of 2023

A.Ugin Prabu

... Petitioner

Vs.

- 1.The District Collector /
Thanjavur District,
Thanjavur.
- 2.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
- 3.The Superintending Engineer,
Public Works Department (PWD),
Thanjavur District.
- 4.The Executive Engineer,
Agniyar River Division,
Water Resources Department,
Pattukottai,
Thanjavur District.
- 5.S.Muthuramalingam
(*R.5 is impleaded vide order of this
Court dated 15.02.2024*)

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to remove the embankment made across the bank of the Agniyar River in Kurichi village near by Punalvasal East Village, Pattukottai Taluk, Thanjavur District.

For Petitioner : Mr.B.Vijaya Karthikeyan
for Mr.S.Sankar

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.4

ORDER

Heard both sides.

2.The petitioner's agricultural field is located near the petition mentioned embankment. The embankment had been put up way back in the year 1986. The then District Collector, Thanjavur vide proceedings dated 21.04.1986 permitted the villagers to put up the same. However, one of the conditions annexed to the proceedings is that on account of embankment no ayacutdhar should be put to injury. The petitioner categorically asserts that on account of flooding, his fields were inundated. It is of course denied by the respondents. We do not enter into the factual controversy.



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3.We direct the fifth respondent to ensure that the embankment is appropriately raised so that the petitioner's fields are totally saved from any kind of inundation in future. This raising of level shall be carried out within a period of three months from the date of receipt of a copy of this order. We make it clear that the modification to the embankment is to the extent of protecting the petitioner's fields alone. This work shall be overseen by the official respondents.

4.This Writ Petition is disposed of accordingly. There shall be no order as to costs.

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

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

To

1.The District Collector /
Thanjavur District,
Trichy.

2.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

3.The Superintending Engineer,
Public Works Department (PWD),
Thanjavur District.

4.The Executive Engineer,
Agniyar River Division,
Water Resources Department,
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