



W.P.No.22673 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.06.2025

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

WP.No.22673 of 2025 and

W.M.P.No.25521 of 2025

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Mrs. Saroja

... Petitioner

Vs.

1. The District Collector,
Kallakurichi District.

2. The Revenue Division Officer,
Thirukovilur Taluk, Kallakurichi District,

3. The Joint Director/Scheme Director
District Rural Development Agency,
Kallakurichi District.

4. The Assistant Director of Panchayat,
Kallakurichi District.

5. The Block Development Officer (Village Panchayat)
Ulundurpet, Kallakurichi District

6. The Assistant Executive Engineer,
(Rural Development),
Ulundurpet Sub-Division, Ulundurpet,
Kallakurichi District.

7. The Panchayat President,
Nonaiyavadi, Ulundurpet,
Kallakurichi District.

... Respondents

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Prayer: Writ Petition is filed under Article 226 of the Constitution of India

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for issuance of a Writ of Mandamus seeking direction to the 5th and 6th respondents to act as per the proceedings of the 3rd respondent in Na.Ka No.Aa8/1496/2024 dated 16.05.2024 and file a report before the 3rd respondent who shall take a decision based on the report within a time stipulated fixed by this Court and pass orders.

For Petitioner : Mr.K.C. Karl Marx

For Respondents 1 to 4 and 6 : Mr.M.Shajakhan, SGP

For Respondent 5 and 7 : Mr.P. Ganesan, AGP

ORDER

By consent of both counsels, this writ petition is taken up for final disposal at the stage of admission itself.

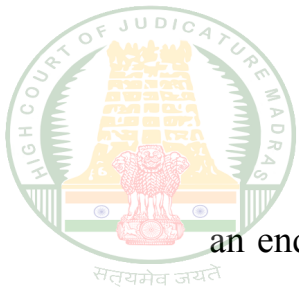
2.Mr.r.M.Shajakhan, Special Government Pleader takes notice for first,second,third,fourth and sixth respondents. Mr. P.Ganesan, Additional Government Pleader takes notice for fifth and seventh respondents.



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3. The petitioner is a resident of Nonaiyavadi Village, Ulundhurpet Taluk, Kallakurichi District. The petitioner states that the farmers of the village are dependent on water from the Nonaiyavadi river canal, for the purposes of irrigation. While so, the local administration started laying the road from Nonaiyavadi Village to Ayyanar Temple. According to the petitioner, if the road is laid on the canal banks, the bunds of the river may get weakened, water storage will get affected and ultimately agricultural activities would be disrupted. Hence, the petitioner submitted a representation to the respondents on 21.03.2024 seeking spot inspection of the place, conduct of an enquiry and reconsideration of the decision regarding the laying of road on the bunds of the river canal. Pursuant to the aforesaid representation, the 4th respondent/Assistant Director of Panchayat, Kallakurichi District, in his letter dated 03.04.2024, directed the 5th respondent/block Development Officer (Village Panchayat) to conduct a joint inspection and file a report. Despite the direction of the 4th respondent, the 5th respondent did not take any action. The petitioner states that even the 3rd respondent in his letter dated 16.05.2024, directed the 6th respondent/Assistant Executive Engineer (Rural Development) to conduct



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an enquiry and file a status report. The 3rd respondent further directed that the laying of road be kept in abeyance till the report was filed. Despite of the above orders of the 3rd and 4th respondents, the 5th and 6th respondents, continued with the laying of the road. Hence, the petitioner was constrained to file the above writ petition for the above relief.

4. Heard the learned counsel on either side and perused the materials available on record.

5. The petitioner's specific case is that laying of the road in the canal bank will damage the bunds of the river and affect water storage and ultimately agricultural activities would be disrupted. The 4th respondent pursuant to the representation of the petitioner, directed the 5th respondent on 03.04.2024, to conduct joint inspection along with the Union Engineer and to file a report to him. Further the 3rd respondent on 16.05.2024, on the basis of the petitioner's representation, directed the 5th and 6th respondents to conduct an enquiry and submit a report. The 3rd respondent further directed the 5th and 6th respondents to keep in abeyance the road laying work. Considering the seriousness of the issue and its impact

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on the livelihood of the villagers, the 3rd and 4th respondents issued the aforesaid directions, however, the 5th and 6th respondent without appreciating the graveness of the matter, continued the road work. Despite of the aforesaid directions, the 5th and 6th respondents continued with the road laying work.

6. In my view as the 5th and 6th respondents have not appreciated properly the genuine concern of the petitioner, I am inclined to issue the following directions:

a. The 5th and 6th respondents are directed to conduct the Joint Inspection and file a report to the 3rd respondent, within a period of two weeks, from the date of receipt of a copy of this order.

b. The 5th and 6th respondents shall immediately stop the work of road laying till the filing of the report by the Union Engineer, to the 3rd respondent.

c. The third respondent on the basis of the report filed by the 5th and 6th respondents shall take a final decision on the road laying work within two weeks thereafter.



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7. Accordingly, this writ petition is disposed of. However, there shall

be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

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N.MALA, J

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