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W.P.No.24335 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.24335 of 2023

Kavitha

... Petitioner

Vs.

1.The Sub-Collector,
Vridhachalam,
Vridhachalam Taluk,
Cuddalore District.

2.The Revenue Tahsildar,
Thittakudi, Thittakudi Taluk,
Cuddalore.

3.The President,
Marudathur Panchayat,
Thittakudi Taluk,
Vridhachalam District.

3.Selvaraj

5.Kumaravel

6.Kumaresan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records and quash the proceedings of the 1st respondent in Oo.Mu(A4) 5322/2022, dated 08.02.2023, signed on 29.03.2023 and consequently to direct the



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respondents 1 to 3 to restore PVC pipeline laid beneath S.No.4/4B, 4/5 and the pathway to their south, the channel on the further south and upto 1800 sq.m. as permitted by the 3rd respondent in his proceeding dated 18.09.2014.

For Petitioner : Ms.R.Meenal
For R1 to R3 : Mr.S.Rajesh
Government Advocate
For R4 to R6 : No appearance

ORDER

Challenging the order passed by the 1st respondent dated 08.02.2023, rejecting the request of the petitioner to lay pipelines in the land belonging to the 4th respondent in S.No.14/2B3, Marudathur Village, Thittakudi Taluk, Cuddalore District, the present writ petition has been filed.

2.According to the petitioner, the petitioner and her husband own the properties in S.Nos.4/4A, 4/4B and 4/3 in Marudathur Village, Thittakudi Taluk, Cuddalore District. Besides, they also have properties in the same Village as under :

S.No.	Extent Hec. Ares
66/7B	0.06.50
66/92A	0.11.50



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66/9A4	0.12.00
65/7	0.21.50
65/8B	0.19.00
203/4A	0.06.00
203/4C	0.06.00
203/5	0.18.00
203/6	0.19.00
4/1A	0.18.00
4/1B	0.15.50
4/1C	0.01.50

3.It is the case of the petitioner that, immediately south of their properties bearing S.Nos.4/4A and 4/4B and S.No.4/5, there is a pathway and further south, there is a Government channel which goes further north, turns east and goes upto a lake. S.Nos.4/2 and 4/5 belonged to the father of the respondents 5 and 6. The 4th respondent is in possession of S.Nos.4/2 and 4/5 which belongs to the respondents 5 and 6. The petitioner and the 4th respondent have to take water by laying pipeline beneath the earth and across pathway belonging to the Government. Both of them applied to the 3rd respondent for permission. The Panchayat also considered their earlier applications in its meeting, obtained permission from the Block Development Officer, and also obtained report from the Nallur Union Engineer. Subsequently, by proceedings dated 18.09.2014, permission was



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granted by the 3rd respondent to lay pipeline along 1800 metres on payment of Rs.5,400/-. Similarly, the 4th respondent was permitted to take pipeline along 500 metres on payment of Rs.1,500/-. So far, there was no disturbance to the user of the pipes. Now, in the recent times, the 4th respondent had developed ill-will towards the petitioner's husband and thereby, he is not allowing the petitioner to draw water through his land. Therefore, the petitioner submitted a petition to the 2nd respondent. Thereafter, it appears that enquiry was conducted by the 2nd respondent and thereafter, it was taken on appeal before the 1st respondent and a police complaint was also lodged in this regard. Ultimately, the 1st respondent, by the impugned order, has rejected the request of the petitioner to lay pipeline in the land belonging to the 4th respondent, stating that the 4th respondent is objecting to the same. Challenging the same, the present writ petition has been filed.

4.Learned counsel for the petitioner would submit that, if the petitioner is not permitted to lay pipeline in the land of the 4th respondent, the petitioner may not be in a position to carry out her agricultural activities.



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5. Whereas, the learned Government Advocate appearing for the respondents 1 to 3, on instructions, would submit that the petitioner insists for laying of pipeline in the land belonging to the 4th respondent, which is a private land, which is not permissible. According to them, as per the instructions, the petitioner can lay pipeline in the Government Poramboke land, for which, the respondents have no objection.

6. As per the written instructions given by the Block Development Officer to the learned Government Advocate, the Block Development Officer or the villagers have no objection for laying the pipelines in the Government Poramboke land. In such view of the matter, if the petitioner still wants to lay pipeline to draw water, she can lay pipeline in the Government Poramboke land, after obtaining permission from the authorities concerned, as the Block Development Officer has already expressed his no objection vide his communication/instructions sent to the learned Government Advocate vide Na.Ka.No.1/1122/2023, dated 03.12.2025.



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04.12.2025

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes

To

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Cuddalore District.
2. The Revenue Tahsildar,
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3. The President,
Marudathur Panchayat,
Thittakudi Taluk,
Vridhachalam District.
4. The Block Development Officer,
Nallur Panchayat Union.



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