



WEB COPY

WA No. 2414 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR JUSTICE C. SARAVANAN

WA No. 2414 of 2022

1. P.Gandhiraj

S/o.Late.Periyasami

2. Selvanayagi

W/o.P.Gandhiraj

Appellant(s)

Vs

1. The Superintending Engineer
Public Works Department, Water
Resources Organization, Aliyar Basin
Division Pollachi, Coimbatore District.

2.The Executive Engineer,
Public Works Department, Water
Resources Organization, Aliyar Basin
Division, Pollachi, Coimbatore District.

3.The Assistant Executive Engineer
Public Works Department,
Water Resources Organization,
Aliyar Basin Division,
Pollachi, Coimbatore District.

Respondent(s)



PRAYER

To set aside the order passed by the learned Judge in WP.No. 31723 of 2016 dated 01.09.2022.

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For Appellant(s): Mrs.P.Rajalakshmi

For Respondent(s): Mr.S.Senthil Murugan,
Special Government Pleader

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The writ appeal has been instituted challenging the writ order dated 01.09.2022 passed in W.P.No.31723 of 2016.

2. The writ petitioners are the appellants before this Court. The proceedings dated 31.05.2016 issued by the Executive Engineer, Public Works Department/2nd respondent came to be challenged in the writ proceedings. The Writ Court considered the facts raised between the parties and made a finding that the appellants/writ petitioners had illegally extracted water from Parambikulam-Aliyar main channel and connected a pipe in his bore-well for use of water for irrigation purposes. Illegal extraction of water amounts to theft of water, and a criminal case was also registered against the appellants, which is pending. Since the authorities, during a field inspection, identified the illegal extraction of water from Parambikulam-Aliyar main channel, the licenses granted in favour of the appellants were cancelled.



3. The learned Single Judge arrived at a conclusion that theft of water is a serious offence and the criminal case registered is pending against the appellants. The identification of illegal extraction of water was made during the field inspection conducted by the competent authorities of the Public Works Department.

4. That being so, this Court do not find any infirmity in respect of the writ order, which is under challenge in the present intra-court appeal. If at all the petitioners are otherwise eligible for usage of water, they have to approach the authorities in the manner known to law. However, the authorities are bound to follow the provisions of the Act and Rules scrupulously, so as to ensure equal distribution of water for farmers in that locality. Equal distribution of water is of paramount importance, and no farmer can be deprived of his right to utilise the water for irrigation purposes in consonance with the statutes and rules and the guidelines issued by the Government.

4. With these observations, the writ appeal stands dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(C.SARAVANAN J.)

09-09-2025

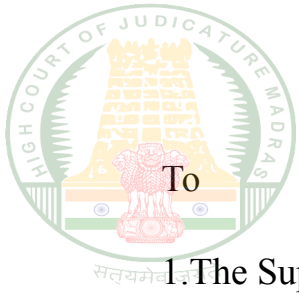
gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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1.The Superintending Engineer
Public Works Department, Water
Resources Organization, Aliyar Basin
Division, Pollachi, Coimbatore District.

2.The Executive Engineer,
Public Works Department, Water
Resources Organization, Aliyar Basin
Division, Pollachi, Coimbatore District.

3.THE ASSISTANT EXECUTIVE
Engineer
Public Works Department, Water
Resources Organization, Aliyar Basin
Division, Pollachi, Coimbatore District.



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**S.M.SUBRAMANIAM
J.
AND
C.SARAVANAN J.**

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