



W.P.No.43047of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.43047of 2025

K.Arulmurugan

... Petitioner

Vs.

- 1 THE DISTRICT COLLECTOR,
KANCHIPURAM DISTRICT,
KANCHIPURAM – 631 501.
- 2 THE ASSISTANT ENGINEER,
WATER RESOURCES DEPARTMENT,
KEELPAALARU NORTH SUBDIVISION,
KANCHIPURAM DISTRICT.
- 3 THE ASSISTANT EXECUTIVE ENGINEER / IRRIGATION
WATER RESOURCES DEPARTMENT,
UTTHIRAMERUR,
KANCHIPURAM DISTRICT.
- 4 THE GOVERNMENT OF TAMIL NADU,
REP. BY SECRETARY,
WATER RESOURCES DEPARTMENT,
FORT ST.GEORGE,
CHENNAI – 600 009.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the respondents to restore and



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permit access through the said bund or to provide an permanent pathway to petitioner agricultural land situated in Kilakkadi Village, Uthiramerur Taluk, Kancheepuram District.

For Petitioner : Mr.R.Karpoora Sundara Pandiyan
For Respondents : Mrs.S.Anitha
Special Government Pleader

ORDER

Mrs.S.Anitha, learned Special Government Pleader takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to restore and permit access through the bund or to provide a permanent pathway to the petitioner's agricultural land situated in Kilakkadi Village, Uthiramerur Taluk, Kancheepuram District.

3.The learned counsel appearing for the petitioner submitted that the petitioner is the owner of the agricultural land situated in Kilakkadi Village, Uthiramerur Taluk, Kancheepuram District. Recently, the Officials of the Water Resources Department without proper notice



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or justification engaged JCB machinery and dug up a trench along the

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bund portion of the Varavu Kalvai, thereby damaging the pathway and preventing the petitioner and his family from accessing to their agricultural land. In this regard the petitioner made representation to the respondents, however, there is no response. Hence this Court may issue direction to the respondents to grant no objection certificate or to grant permission for pathway access.

4.The learned Special Government Pleader appearing for the respondents submitted that some persons including the petitioner unauthorizedly encroached upon portions of Kilakkadi Tank Supply Channel by leveling the bund and forming an approach path to their lands which is prohibited under the provisions of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and hence the encroachment along the Kilakkadi Tank Supply Channel was evicted on 29.05.2025, restoring the original waterway to its functional condition. The learned Special Government Pleader further submitted that granting access or NOC to use or alter the channel bund for private purposes would set a dangerous precedent, leading to further encroachments and endangering the hydraulic efficiency and structural



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safety of the irrigation network.

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5.Heard both sides and perused the materials available on record.

6.The petitioner seeks direction to the respondents to restore and permit access through the bund, however, granting access or NOC to use or alter the channel bund for private purposes would lead to encroachment, which would endanger the hydraulic efficiency and structural safety of the irrigation network.

7.In view of the above, this Court is not inclined to grant the relief sought for in this petition. The writ petition is dismissed. No costs.

12.11.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1 THE DISTRICT COLLECTOR,
KANCHIPURAM DISTRICT,

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KANCHIPURAM – 631 501.

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M.DHANDAPANI,J.
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