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WP.No.47573 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.47573 of 2025

K.Saroja

.. Petitioner

Versus

1. The Superintending Engineer
Construction and Maintenance
State Highways
Madukkarai-Madampatti Inner Ring Road
Coimbatore

2. The Revenue Tahsildar
Perur Taluk
Coimbatore District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to restore north-south natural stream lying in between SF.Nos.326 and 327 to its original direction or to construct a boundary wall to the said water course, on the western side of petitioner's boundary to avoid further damage to the petition's land admeasuring 2.14 acres (half share) in SF.Nos.326/1A and 326/1C, Perur Chettipalayam Village, Perur Taluk, Coimbatore District by considering the representation dated 04.08.2025.

For Petitioner : Mr.N.Manoharan

For Respondents : Mr.Yogesh Kannadasan
Special Govt. Pleader for R1 & R2



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ORDER

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This writ petition has been filed seeking a direction to the respondents to restore north-south natural stream lying in between SF.Nos.326 and 327 to its original direction or to construct a boundary wall to the said water course, on the western side of petitioner's boundary to avoid further damage to the petitioner's land

2. It is the case of the petitioner that she is the owner of half portion of the property measuring 2.14 acres in R.S.No.326/1A and 326/1C, Perur Chettipalayam Village, Perur Taluk, Coimbatore District and her lands are lying on the northern side of the east-west Medukkarai – Madampatti Ring Road and on the western boundary of petitioner's land, there is a water course running for the time immemorial to drain the natural stream water collected from the nearby hills and said water course is running north-south, which is abutting the western boundary of the petitioner's land.

3. It is the grievance of the petitioner that now the respondents have acquired vast extent of the lands for the formation of east-west ring road under Tamil Nadu State Highways Act, 2001 and in order to cross over the water course, the respondents have constructed an over bridge



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and the construction of over bridge across the water course as a straight line has resulted in tilting of the structure of the bridge, due to which direction of the water course has been substantially altered at the south-western corner of petitioner's land and the flow of water in the natural stream has entered into the petitioner's land and caused substantial damage. In this regard, the petitioner sent a representation dated 04.08.2025. Since no action has been taken on the representation of the writ petitioner, the present writ petition has been filed.

4. Mr.Yogesh Kannadasan, learned Special Government Pleader, who accepts notice, on behalf of respondents would submit, on instructions, that a minor bridge with a single span of 10m has been constructed strictly as per the approved estimate to ensure free flow of water originating from the Western Ghats and no deviation exists as claimed by the petitioner. It is further submitted that the first respondent has not received any grievance from the petitioner and if the petitioner makes an application to the first respondent, the same will be considered and orders will be passed.



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5. Though it is the submissions of Mr.N.Manoharan, learned counsel for the petitioner that he has already sent the representation to the first respondent, the written instructions placed before this Court by the learned Special Government Pleader indicate that no petition has been received at the office of the first respondent.

6. In such view of the matter, let the petitioner send a fresh representation to the first respondent and on receipt of such representation, first respondent shall consider the same and pass orders on merits and in accordance with law. It is made clear that if really the water course has been diverted and the same causes water stagnation or damage to the property, necessary provisions to be made to arrest the water to prevent further damage to the land of the petitioner.

With the above direction, this writ petition is disposed of.
There shall be no order as to costs.

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Index :Yes/No
Neutral Citation : Yes/No

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N. SATHISH KUMAR, J.

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