



W.P(MD)No.503 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.503 of 20254

and

W.M.P(MD)No.531 of 2024

The Secretary,
Rama Palanivelsamy High School,
Bodi – Meenatchipuram,
Theni District.

... Petitioner

Vs

1. The Executive Engineer (P.W.D),
Manjalaru Water Resources Division,
Periyakulam, Theni District.
2. The Assistant Executive Engineer (P.W.D),
Manjalaru Water Resources Division,
Theni District, Theni.
3. The Assistant Engineer (P.W.D),
Manjalaru Water Resources Division,
Bodinaickannur, Theni District.
4. The Meenakshiyamman Kanmoi
Neerinai Payanpaduthuvor Sangam,
represented by its President,
G.Jayaram,
S/o.GOvindharam,
B.Ammapatti, Bodinayakanoor,
Theni District.

... Respondents

*(R-4 is impleaded vide court order dated 03.07.2025
in WMP(MD)No.2471 of 2024 in WP(MD)NO.503 of 2024)*



W.P(MD)No.503 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents by permitting the petitioner, to form a temporary bridge, across the channel in S.No. 350, running parallel to the road, running east - west, to reach S.No.351/1A, 1B and 1C lands, which is used as play ground and common place for the school students of the petitioner's school.

For Petitioner : M/S.Eugene.F.X
For R-1 to R-3 : Mr.S.Shanmugavel
Additional Government Pleader
For R-4 : Mr.S.Rajasekar

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to construct a temporary bridge across the channel in S.No. 350, running parallel to the road, running east - west, to reach S.No.351/1A, 1B and 1C lands, which is used as play ground and common place for the school students of the petitioner's school, by passing an order.

2. The learned Counsel appearing for the petitioner submitted that since the channel is running across the road, it is also not safety to leave the running water



W.P(MD)No.503 of 2024

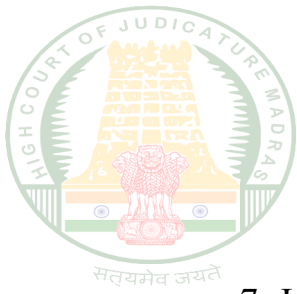
while the school children are playing in the area. Therefore, the petitioner seeks permission to construct a temporary bridge across the channel.

3. The learned Government Advocate appearing for the respondents submitted that permission for a temporary bridge cannot be granted, especially considering that it may not be safe for school children

4. In the meantime, Meenakshiyamman Kanmoi Neerinai Payanpaduthuvor Sangam, filed an impleading petition and the same is allowed.

5. The contention of the impleading fourth respondent is that the petitioner School has already constructed a permanent bridge without obtaining proper permission. The said bridge is adjacent to the Meenakshi Amman Kanmai. If the water is filled in the said Kanmai, it would enter the play ground which would affect the safety and security of the children.

6. The learned Government Advocate appearing for the respondent 1 to 3 further submitted that the previously constructed bridge was demolished only for the sole reason that the petitioner School did not get prior permission from the President. Now, the petitioner school is ready to seek permission for putting up a permanent construction.



W.P(MD)No.503 of 2024

WEB COPY

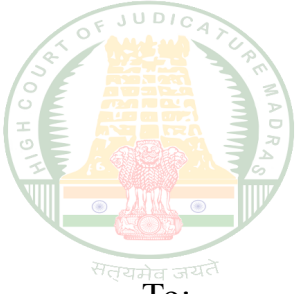
7. In view of the above, this Court is directing the petitioner to submit an application within a period of four (4) weeks from the date of receipt of a copy of this order and the official respondents shall consider the petitioner's request in accordance with law, within a period of six (6) weeks therefrom. It is made clear that the petitioner School is permitted to put a permanent structure, and not a temporary structure. If such construction is permissible under law, the authorities may grant the necessary approval.

8. With the above said direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

jbr



W.P(MD)No.503 of 2024

To:
WEB COPY

1. The Executive Engineer (P.W.D),
Manjalaru Water Resources Division,
Periyakulam, Theni District.
2. The Assistant Executive Engineer (P.W.D),
Manjalaru Water Resources Division,
Theni District, Theni.
3. The Assistant Engineer (P.W.D),
Manjalaru Water Resources Division,
Bodinaickannur, Theni District.



WEB COPY



W.P(MD)No.503 of 2024

S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.503 of 2024

DATED : 03.07.2025