



W.P(MD)No.1328 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

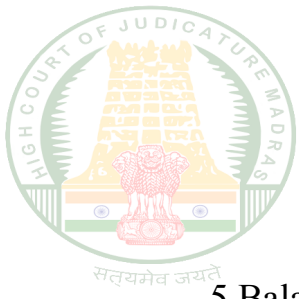
W.P(MD)No.1328 of 2020
and
W.M.P.(MD)Nos.1074, 1076, 1077 and 1599 of 2020

Bose

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Lower Vaigai Basin Division,
Paramakudi,
Ramanathapuram District.
- 3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.
- 4.The Revenue Inspector,
Pullur Firka,
Thiruvadanai Taluk,
Ramanathapuram District.



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5.Balasubramani

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of 3rd Respondent in Muu.Mu.No.5752/2019(B5) dated 18-10-2019 and quash the same illegal and arbitrary and consequentially forbearing the 5th Respondent, his hencemen or any other persons claiming under him from laying proceeding the road on source canal and bund of the Semanvayal Periya Kanmoi, Semanvayal Village, Thiruvadanai Taluk, Ramanathapuram District.

For Petitioner : Mr.A.Muralikumar

For Respondents : Mr.N.Ramesh Arumugam,
Government Advocate for R1 to R4.
Mr.Raguvaran Gopalan for R5.

ORDER

Heard both sides.



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2.The learned counsel for the fifth respondent has filed this vacate stay petition and reports no instruction. The papers have been taken back by the fifth respondent.

3.The petitioner is a permanent resident of Semanvayal Village. He challenges the proceedings dated 18.10.2019 issued by the Tahsildar, Thiruvadanai. The Tahsildar, Thiruvadanai has permitted the fifth respondent herein to put a makeshift bridge over a PWD channel. It cannot be in dispute that the competent authority is Public Works Department or Water Resources Department, who alone can grant such permission. The Tahsildar, Thiruvadanai will not have jurisdiction to do so.

4.In this view of the matter, the impugned proceeding dated 18.10.2019 is set aside. We however grant liberty to the fifth respondent to approach the competent authority and take a fresh permission, if so advised.

5.This writ petition is allowed accordingly. No costs.



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Consequently, connected miscellaneous petitions are closed.

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(G.R.S.J.) & (B.P.J.)
19.06.2025

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

To:-

- 1.The District Collector,
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Ramanathapuram.
- 2.The Executive Engineer,
Public Works Department,
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G.R.SWAMINATHAN, J.
and
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