



W.P.(MD)No.1821 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.1821 of 2025
and
W.M.P.(MD)No.1314 of 2025

T.J.Sathia Prasad

... Petitioner

Vs.

1.The District Collector,
Kanniyakumari District,
at Nagercoil.

2.The Executive Engineer,
Water Resources Department,
PWD Road, Nagercoil,
Kanniyakumari District.

3.The Assistant Engineer,
Water Resources Department,
Irrigation Division,
Boothapani,
Kanniyakumari District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned proceedings of the 3rd respondent in letter No. Ko14P/653/2024, dated 09.12.2024 and letter No. KO14P/666/2024, dated 17.12.2024 and quash the same and consequently, directed the 1st respondent to consider the petitioners representation dated 07.10.2024.

For Petitioner :Mr.K.Vamanan

For Respondents :Mr.S.R.A.Ramachandran
Additional Government Pleader
for R1 to R3

ORDER

Heard both sides.

2. The petitioner challenges the impugned communication whereby he had been ordered to remove the petition mentioned bridge. The petitioner's counsel stated that it was the PWD which originally put up the bridge and that question of removing the same does not arise.

3. When the matter was taken up 'for final disposal', the learned Additional Government Pleader on instructions submitted that PWD had originally put up the bridge across the petition mentioned channel. But then, the petitioner herein had re-laid the widened structure. It is stated by the



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respondents that as a result, elephants are able to enter the village. Though we acknowledge the petitioner's right to access his lands lying on the other side, his right has to be exercised in a manner consistent with public interest. Therefore, whatever changes that are directed to be made by the respondents will be implemented and carried out by the petitioner herein. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
04.03.2025

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

To

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