



WEB COPY



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W.P.(MD)NO.2566 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.2566 of 2020

B.Shanmugasundaram

... Petitioner

Vs.

1. The District Collector,
Thanjavur,
Thanjavur District.
2. The Chief Engineer,
Water Resource Organization,
Public Works Department,
Trichy.
3. The Superintendent Engineer,
Water Resource Organization,
Public Works Department,
Thanjavur.
4. The Executive Engineer,
GA Canal Division (Kallanai Kaalvai Kottam),
Public Works Department,
Shanthappillai Gate,
Thanjavur,
Thanjavur District.



5. The Assistant Engineer,
Canal Modernization Sub-Division,
Public Works Department,
Peraoorani,
Thanjavur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Mandamus, directing the respondents to implement the order passed by the District Collect, Thanjavur, the 1st respondent herein in Pa.Mu.75930/71 Aa3 dated 19.06.1972 and to save the petitioner's standing crops in his patta lands in survey No.229/9A and No.229/9B at Kuruvikarampai Vilalge, Peraoorani Taluk, Thanjavur District and to remove the encroachment made by the respondents.

For Petitioner : Mr.R.Rajaraman

For Respondents : Mr.A.Kannan,
Additional Government Pleader.

* * *

ORDER

The petitioner is having lands in Kuruvikarambai Village. His lands are facing inundation as a result of increasing the height of the weir. Hence, this writ petition came to be filed.



2. When the matter was taken up for hearing, the learned counsel for the fourth respondent filed counter affidavit. Paragraph

No.11 of the counter affidavit reads as follows:-

“It is humbly submitted that Parambadi Tank in Kuruvikarampai Village, Peravurani Taluk and its banks are proposed to be strengthened under Extension Renovation and Modernization (ERM) scheme of Grand anicut canal system at an estimate of Rs.51.36 Lakhs. This tank will be renovated after getting the approval and funding from AIIB (Asian Infrastructure Investment Bank). At the time of execution of the above proposed scheme, the same full tank level, as contemplated by the proceedings of the District Collector, Thanjavur dated 19.06.1972 to be maintained and cut stones(Kuthukal) with height of 45cm would be set up at the interval of 60cm distance. Such arrangements would be helpful to regulate the water level in the tank by opening and closing the vent according to the water inflow into the tank in irrigation period, rainy season and offseason without affecting the foreshore lands in survey field Nos.290 and 282. ”



3. In view of the concerns expressed by the writ petitioner, we direct the respondents to abide by the undertaking given in paragraph No.11. This writ petition stands disposed of accordingly.

No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
26th June 2025

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

To:

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