



WA(MD). No.1172 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 29/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.1157 of 2025

M.S.Ulaganathan

... Appellant/Petitioner

v.

The Executive Engineer,
Water Source Organization,
Manimutharu
Devakottai
Sivagangai District

... Respondent

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 22.01.2025 in WP(MD). No.22248 of 2022.

For Appellant : Mr.C.Susikumar for

M/s.Subash Law Office

For Respondents : Mr.R.Satheesh for R1 & R2

JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The writ appeal is directed against the order of the writ Court dated 22.01.2025 passed in WP(MD) No.22248 of 2022.



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2.The writ petitioner is the appellant herein.

3.The writ petitioner/appellant has challenged the impugned order before the writ Court, wherein, the appellant was directed to pay Rs.1,50,000/- for damaging the pipe culvert. According to the respondent, the said project was completed by availing the funds from the world bank in the year 2008-09. The villagers have cleaned the pipe and during the said operation, they have damaged it. Therefore, the respondent has imposed cost to renovate the said damage to the tune of Rs.1,50,000/-.

4. Since the appellant has initiated the cleaning process, the entire liability is fixed on the appellant. The writ Court, considering the contention of the respondent, declined to interfere with the impugned order.

5. On considering the rival contentions, this Court is of the considered opinion that the entire villagers have de-silted and cleaned the



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pipe and during the said process, the pipe got damaged and therefore, the amount should be fastened on the entire villagers. However, it is not possible to collect the same from the villagers. Therefore, the appellant's liability is reduced to Rs.50,000/- and the appellant is directed to deposit the said sum of Rs.50,000/- (Rupees fifty thousand only) within a period of four weeks from the date of receipt of a copy of this judgment. The balance repairing cost shall be borne out by the respondent themselves.

6. With this direction and modification, the writ appeal stands disposed of. No costs.

[J.N.B.,J]

[S.S.Y.,J]

29.04.2025

NCC : Yes/No

Index : Yes/No

RR

To
The Executive Engineer,
Water Source Organization,
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Sivagangai District



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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.1157 of 2025

Date : 29/04/2025