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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.18453 of 2024

B.Rajasekar ... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai-625 020.

2.The Commissioner,
Madurai Corporation,
Madurai-625 002.

3.The Tahsildar,
Thirupparamkundram Taluk,
Madurai-625 005.

4.The Chief Engineer,
Public Works Department,
Water Resources Organization,
Madurai Region, Tallakulam,
Madurai District.

5.The Executive Engineer,
Public Works Department /
Water Resource Organization,

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Periyar Vaigai Basin Division,
Tallakulam, Madurai District. ...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take necessary action to

(i)remove the encroachment at Semattan Tank and remove the blockade at the canel bifurcation point leading water to the Semattan Tank.

(ii)take necessary action to repair the damaged surplus weir of the Semattan Tank.

(iii)take necessary time-bound action to build a bund at the boundary of the Nilayur Tank towards the SRV Nagar,

on the basis of the petitioner's representation dated 08.01.2024.

For Petitioner : Mr.R.Rajasekar (Party-in-Person)
For R1, R3 to R5 : Mr.P.Thilak Kumar,
Government Pleader
For R2 : Mr.S.Vidhyasagar

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ of Mandamus has been instituted to direct the respondents to take necessary action to remove the encroachment at Semattan Tank and remove the blockade at the canal bifurcation point leading water to Semattan Tank; to take necessary action to repair the damaged surplus weir of Semattan Tank; and to take

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necessary time-bound action to build a bund at the boundary of the Nilayur Tank towards the SRV Nagar on the basis of the petitioner's representation dated 08.01.2024.

2.With reference to the relief sought for in the present Writ Petition, the learned Government Pleader appearing for the respondents 1, 3 to 5 would submit that actions are initiated by the district administration and in this regard, status report has been filed. Paragraph No.7 of the status report reads as follows:-

> *"7.I respectfully submit that the Vaigai River water has supplied to Nilaiyur tank upto 03.01.2024 until it reaches F.T.L.Condition. The supply channel shutter has closed on Vilacheri regulator on 04.01.2024. Consequently, the leakage water also arrested on 07.01.2024 in the shutter @ Vilacheri regulator. The Nilaiyur tank storage reaches its full tank level (F.T.L) on 29.12.2023. On that day itself a small breach occurred in Nilaiyur tank surplus course due to heavy rain. The Breach in the surplus course was closed by placing the sand bags in Nilaiyur tanks surplus weir Caligula stones on 29.12.2023 with the help of water users Association members. The same bags were removed immediately after the breach closed and the surplus water flow through the surplus course channel to lower down chain of tanks."*

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3.It is needless to state that the district administration is bound to look into the grievance of the citizen and ensure that necessary actions are taken to prevent any such obstructions in future. Since in the present case the status report reveals that actions are initiated by the district administration in co-ordination with the Water Resource Organization, the respondents are directed to monitor the works undertaken and ensure that free flow of water during the rainy season and protect the interest of the residents residing in that locality. As far as the claim of the petitioner that the bund is to be constructed for better maintenance of water flow, is concerned, the district administration may look into the feasibility and necessity and take appropriate actions in the interest of public.

4.With the above observation, this Writ Petition is disposed of. No costs.

(S.M.S., J.) & (A.D.M.C., J.)
26.06.2025

NCC : Yes / No
Index : Yes / No

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To

1.The District Collector,
Madurai District, Madurai-625 020.

2.The Tahsildar,
Thirupparamkundram Taluk,
Madurai-625 005.

3.The Chief Engineer,
Public Works Department,
Water Resources Organization,
Madurai Region, Tallakulam,
Madurai District.

4.The Executive Engineer,
Public Works Department /
Water Resource Organization,
Periyar Vaigai Basin Division,
Tallakulam, Madurai District.

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S.M.SUBRAMANIAM, J.

AND

DR.A.D.MARIA CLETE, J.

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