



W.P.(MD)No.20451 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.07.2025

CORAM

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

W.P(MD)No.20451 of 2025
and
W.M.P.(MD)No.15841 of 2025

Ragupathy

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Executive Engineer,
WRD, Grand Anicut Canal Division,
Thanjavur District.
- 3.The Assistant Engineer,
WRD, Grand Anicut Canal Town Section-I,
Pattukottai,
Thanjavur District.
- 4.The Assistant Executive Engineer,
WRD, Grand Anicut Canal Subdivision No.2,
Pattukottai.
- 5.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.



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6.The Tahsildar,
Pattukottai,
Thanjavur District.

7.The Village Administrative Officer,
Thittakudi, Pattukottai,
Thanjavur District.

8.The Block Development Officer,
Pattukottai,
Thanjavur District.

9.The President,
Thittakudi Panchayat,
Thittakudi,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 8 to take appropriate steps with regard to restoration of Sendankadu channel situated at Thittakudi Village Pattukottai, Thanjavur at RSR Nos. 74, 85/4, 85/5, 78/1, 87/1, 87/8, 87/9, 160/4, 166/14, 167/13, 168/1, 168/2, 181/13, 182/1, 197, 198/9, 200/5, 201/1, 210/2 by removing encroachments and maintain the water channel to ensure free flow of water.

For Petitioner :Mr.A.Sivasubramanian

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 to R7

: Mrs.D.Farjana Ghoushia
Special Government Pleader
for R8 & R9



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ORDER

Heard both sides.

2. The only request made by the writ petitioner is that the petition mentioned channel must be restored to its original condition by clearing the encroachments. He also wants the free flow of water to the channel to be ensured. It is seen that the request was made right from 2023 to conduct survey. But it appears that the jurisdictional Tahsildar has not been extending sufficient cooperation. That led to filing of this writ petition.

3. When the matter was taken up for hearing, the learned Special Government Pleader, on written instructions, from the Tahsildar, Pattukkottai states that survey will be held on 07.08.2025. We direct the Tahsildar to conclude the exercise of survey within a period of four weeks. Notices will be issued to all the persons who are found to be in occupation of the water body before conducting survey. Based on the survey results, the respondents 3 & 4 will take further steps to have all the encroachments cleared. It is stated that the local body had laid a road on the portion of the channel. We cannot approve the laying of the road on the channel bed. It appears that the road was laid



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some 25 years ago. The road also serves public purpose. Therefore, we may

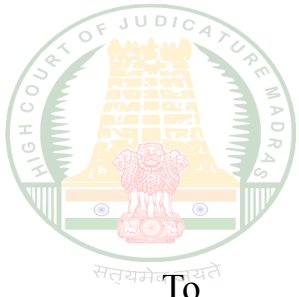
not be in a position to direct the authorities to obliterate the road and restore the channel to its original condition. Subject to the existence of the road, the remaining portion of the channel can definitely be restored to its original position and appropriate arrangement shall be made by installing the culvert within the road portion so that the free flow of water is ensured. The entire exercise shall be completed within a period of five months from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
30.07.2025

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