



W.P(MD)No.25573 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.P(MD)No.25573 of 2024
and
W.M.P(MD)No.21696 of 2024**

A.Chinnasamy

... Petitioner

vs.

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Tahsildar,
Madurai North Taluk, Madurai District.
- 3.The Executive Engineer,
Public Works Department,
Madurai District.
- 4.The Block Development Officer,
Madurai West Panchayat Union,
Madurai District.

5.D.Latha

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to connect the canal, which is running from western side to eastern side alongside the road in Thiruvalluvar Garden, Boothakudi Village, Madurai North Taluk and Madurai District with the stream in Sy.No.117/5.

For Petitioner : Mr.R.V.Rajkumar

For RR 1 to 4 : Mr.J.Ashok
Additional Government Pleader

For R – 5 : Ms.Lakshmi Gopinathan
for M/s.Polax Legal Solutions

ORDER

(Order of the Court was made by G.ARUL MURUGAN, J.)

This Writ Petition has been filed seeking for a direction to the respondents 1 to 4 to connect the canal, which runs from western side to the eastern side alongside the road in Thiruvalluvar Garden, Boothakudi Village, Madurai North Taluk and Madurai District, with the stream in Survey No.117/5.



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2.The learned counsel appearing for the petitioner contended that the drainage work has already been completed. However, since it has not been connected to the main channel, the drainage system has not been effectively put to use. Therefore, the petitioner has come up with the present Writ Petition.

3.The learned counsel appearing for the fifth respondent contended that even though the channel could be routed through an alternative path, the petitioner, being related to the President of the local body, intends to interfere with the property of the fifth respondent under the guise of completing the drainage work.

4.The learned Additional Government Pleader appearing for the respondents 1 to 4 and relying on the counter-affidavit filed by the fourth respondent, submitted that drainage work has already been undertaken in the subject place and almost 95% of the work has been completed. However,



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due to the obstruction caused by the fifth respondent, the drainage system is currently non-functional and has not been connected to the main channel.

5.Heard the rival submissions made on either side and perused the materials available on record.

6.It is admitted that the official respondents have undertaken drainage work and that almost 95% of the work has been completed. However, due to the obstruction created by the fifth respondent, the entire project could not be completed and the drainage system has not been fully put to use.

7.When a drainage system is constructed for the benefit of the public, the official respondents must ensure that the project is completed and made available for public use. Unless the work is completed in its entirety, the entire purpose of constructing the drainage would be defeated and could lead to further complications, including the stagnation of wastewater.



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8.In so far as the grievance of the fifth respondent is concerned, it is submitted that she had already filed a suit in O.S.No.128 of 2024 on the file of the District Munsif Court, Madurai. Therefore, it is open to the fifth respondent to pursue appropriate remedies in the said pending suit.

9.In view of the fact that the drainage work could not be completed due to the obstruction caused by the fifth respondent, the official respondents are directed to complete the drainage work by removing the said obstruction, thereby enabling the drainage system to be fully operational and put to public use. It is made clear that if the obstruction removed is in patta land, the pattadhar will be entitled for compensation in accordance with law.

10.With the above observations, this Writ Petition is disposed of.



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There shall be no order as to costs. Consequently, connected Miscellaneous
Petition is closed.

[S.M.S.,J.] & [G.A.M.,J.]
25.08.2025

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

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
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Madurai District.
- 3.The Executive Engineer,
Public Works Department,
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S.M.SUBRAMANIAM, J.
and
G.ARUL MURUGAN, J.

ps

ORDER MADE IN
W.P(MD)No.25573 of 2024

DATED : 25.08.2025

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