

W.P(MD)No.3232 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.02.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.3232 of 2025

S.Nagarajan

..Petitioner

Vs

1.The District Collector,
Thanjavur,
Thanjavur District.

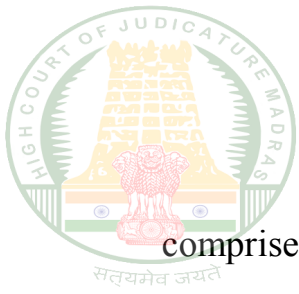
2.The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Kumbakonam.

3.The Tahsildar,
Kumbakonam Taluk,
Thanjavur District.

4.The Executive Engineer,
TWAD Board,
Kumbakonam,
Thanjavur District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the 4th respondent or their subordinate officials not to insert the pipelines in respect of the land



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comprised in Survey No.87/2B situated at Vittalur Village, Kumbakonam Taluk,

Thanjavur District and consequentially remove the inserted pipes and to give a

compensation for the damaged crops within a time stipulated by this Court.

For Petitioner : Mr.S.Gurumurthy

For Respondent : Mr.S.Shaji Bino
Spl. Govt. Pleader (for R1 to R3)

Mr.R.Satheesh
Standing Counsel (for R4)

ORDER

The petitioner seeks issuance of a Writ of Mandamus to forbear the 4th respondent or their subordinate officials from inserting the pipelines in respect of the land comprised in Survey No.87/2B situated at Vittalur Village, Kumbakonam Taluk, Thanjavur District, and remove the inserted pipes and give compensation for the damaged crops within a time stipulated by this Court.

2.The petitioner pleads that the aforesaid land belongs to him. Without securing permission or resorting to acquisition, the fourth respondent / TWAD Board laid pipelines over his land. Hence, the writ petition.



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WEB COPY 3. When the matter was taken up for hearing on 03.02.2025, Mr.R.Satheesh, learned Standing Counsel took notice for the fourth respondent/TWAD Board. He sought time to file counter. Today, he presented a status report signed by the Executive Engineer, TWAD Board, Maintenance Division, Nagapattinam.

4. Perusal of the status report shows that the pipeline has been laid over the land belonging to the petitioner without any authority of law. As paddy cultivation commenced on the land, the petitioner objected for removing the pipeline immediately, as it would affect his crops. The report further states that the harvesting has been completed and that the pipeline would be removed at the earliest.

5. I heard Mr.S.Gurumurthy for the petitioner and Mr.S.Shaji Bino, learned Special Government Pleader for the respondents 1 to 3 and Mr.R.Satheesh, learned Standing Counsel for the fourth respondent.

6. A reading of the affidavit and the status report makes it clear that the TWAD Board, by error, has laid pipelines over the petitioner's property. The



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Executive Engineer has expressed his readiness to remove the pipeline, which runs to an extent of 66 meters over the petitioner's land and re-lay it over Highway's land. For the said purpose, the fourth respondent has also obtained approval from the Highways Department.

7. Mr.S.Gurumurthy states that the fourth respondent / TWAD Board will remove the pipeline as early as tomorrow. Mr.R.Satheesh states that the project is to commence on 15.03.2025 and the fourth respondent/TWAD Board shall take immediate steps to remove the pipeline.

8.The above statements are recorded.

9.The writ petition is ordered with a direction to the fourth respondent / TWAD Board to remove the pipeline forthwith. No costs.

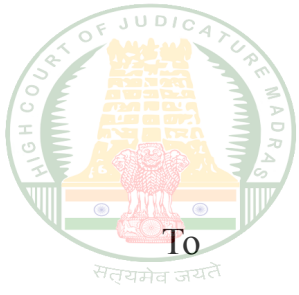
25.02.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

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V.LAKSHMINARAYANAN, J.

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