



W.P(MD)No.32158 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.32158 of 2025

and

W.M.P.(MD)No.25293 of 2025

S.Tamilmani

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
Chennai.

2.The Chief Engineer,
Tamil Nadu Water Supply and Drainage Board,
Thanjavur.

3.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Nagapattinam.

4.The Assistant Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Myladudurai.

5.Seetha Lakshi,
Hereditary Trustee,
Arulmighu Padasalai Dharmam,
3/2, A1, Krishanan Street,
Kumbakonam.

... Respondents

*(R5 is suo motu impleaded vide order dated
12.11.2025 in W.P.(MD)No.32158 of 2025 by GRSJ)*



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to remove the pile foundation laid in R.S.256/1 measuring 40 cents in Kadamankudi Village, Maharajapuramvattam, Thiruvudaimarudur Taluk for 100 metres length and 5 metres breadth, consequently direct the respondents not to lay any pipeline or interfere with the petitioner's peaceful possession of the above land.

For Petitioner : Mr.K.Vijayaraghavan

For Respondents : Mr.R.Satheesh,
Standing Counsel for R1 to R4.

ORDER

Heard the learned counsel for the writ petitioner and the learned standing counsel for TWAD Board. Issuance of notice to the fifth respondent is dispensed with. However, a copy of this order shall be served on the fifth respondent by the TWAD Board officials.

2.The petitioner claims to be the lessee under the fifth respondent. Her allegation is that TWAD Board is laying pipes on the land in her leasehold occupation. To restrain the authorities from doing so and remove the foundation already laid, this writ petition has been filed.



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3. When the matter was taken up for hearing, the learned standing counsel clarified that the petitioner's leasehold rights are confined to R.S.No.256/1, Kadamankudi Village. The foundation has been laid only in S.No.257 and that too with the express permission of the fifth respondent who is the owner. Therefore, the petitioner cannot have any grievance. Copy of the letter dated 08.10.2025 sent by Seetha Lakshmi to the TWAD Board been produced before me. Admittedly, S.No.257 belongs to the fifth respondent. When the said land is being put to use that too with the permission of the fifth respondent, necessarily compensation has to be paid. I consciously refrain from quantifying the compensation payable to the fifth respondent. But in any event, compensation as determined by the TWAD Board shall be paid to her within a period of twelve weeks. The fifth respondent can receive the same without prejudice to her right to claim enhancement before the appropriate authority or forum or Court.

4. The learned counsel for the writ petitioner disputes the submission made by the learned standing counsel. According to him,



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foundation has been laid only in R.S.No.256/1. This can be found out only if proper survey is conducted. I make it clear that such survey can be conducted by the Tashildar only at the instance of the fifth respondent. If the outcome of the survey indicates that the pipes have been laid in R.S.No.256/1, in that event, the writ petitioner can move this Court again for appropriate relief. I however make it clear that the works that are presently afoot need not be and shall not be put on hold so as to await the results of survey.

5.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

12.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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