



W.P(MD)No.34142 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.11.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.34142 of 2025

D.Shanmugham

... Petitioner

Vs.

- 1.The District Collector / Monitoring Committee
Collectorate, Tirunelveli District - 627 009.
- 2.The Block Development Officer,
Manur Taluk,
Tirunelveli District - 627 201.
- 3.The Land Surveyor,
Tahsildar Office,
Manur Taluk,
Tirunelveli District - 627 201.
- 4.The Executive Engineer,
Public Works Department,
Chittar Basin Division,
Tenkasi @ Kudiyiruppu,
Tirunelveli District.
- 5.The Assistant Engineer,
Public Works Department,
Chittar Basin Division,

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Tenkasi @ Alangulam,
Tirunelveli District.

... Respondents

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 clear the obstruction in the water pathways (Vaikal) in Survey Nos.369, 370, 371, 409, 410, 399, 400, 406, 403, 474, 475, 477, 478, 493, 494, 489, 490, 408, 550, 551, 552, 526, 527 and 529 of Thenkalam Village and also in Survey Nos.1114, 1115, 1116 and 1117 of Pallikottai Village by considering the petitioner's representation dated 08.05.2024 in accordance with law within the time frame that may be stipulated by this Court.

For Petitioner : Mr.A.Robinson

For Respondents : Mr.S.Vinodh,
Government Advocate for R1, R3 to R5.
Mr.R.Ragavendran,
Government Advocate for R2.

ORDER

Heard both sides.



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2.The writ petitioner is a resident of Thenkalam Pudur Village. He points out that the vaikal (canal) running through the petition mentioned survey numbers has fallen into disuse. According to him, it has to be desilted and the retention wall has to be strengthened. He has given a representation 08.05.2024. Since it was not acted upon, this writ petition has been filed.

3.The Public Works Department had made it clear that they have jurisdiction upto the sluice of the water body and that they have no control over the canal as such.

4.The petitioner submits that the farmers themselves will carryout the task of restoration.

5.We permit them to do so. However, this shall be done under the supervision of the fifth respondent. The petitioner has to ensure that while the work is being carried out and implemented, there is no infringement of any private right.



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6. With the aforesaid permission to the writ petitioner, this writ

petition is disposed of. No costs.

(G.R.S.J.) & (B.P.J.)
27.11.2025

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

To:-

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5. The Assistant Engineer,
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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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