



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No.7126 of 2026

- 1.P.Kuppurathinam
- 2.T.M.Gayathri Arumugam
- 3.T.Harimahendran

..Petitioner(s)

Vs

1. The Tahsildar
Anaimalai Taluk
Coimbatore-642 104
2. The Exeuctive officer
Odayakulam Town panchayat
Chemanampathi Road
Odayakulam
Coimbatore-642 129
3. The District Collector
Collectorate Buidling
State Bank Road,Gopalapuram
Coimbatore-641 018

..Respondent(s)

Prayer: Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, praying to call for the records from the 1st respondent pertaining to document number Na.Ka./3172/2025/A3 in order dated 4.1.2026 and quash the same and to direct the 1st respondent to pass appropriate orders permitting the petitioners to continue the rehabilitation of the Existing well in terms of the Technical Report dated 24.1.2026

For Petitioner(s):

Mr.J.S.Prithivi Raaj for
M/s.A.K.Mylsamy and Associates LLP



For Respondent(s):

Mr.N.Naveen Kumar, AGP (R1 and R3)
Mr.M.Rajendran, AGP (R2)

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ORDER

The petitioners are the co-owners of the property situated in S.No.1212, Odayakulam, Anaimalai Taluk, Coimbatore District. This Writ Petition pertains to the maintenance of a pre-existing well a diameter of 10 meters and a depth of 14.4 meters approximately. The well is located within the prohibited distance from the PAP Canal, the petitioners had to secure permission from the appropriate authorities for maintaining / rejuvenating the existing well. Without the well, there is no water and hence no agricultural activities can be carried on. The petitioners applied for and secured permission from the Revenue Department as well as from the Executive Engineer, PAP Canal, WRD Division to rejuvenate the existing well.

2. After obtaining the permission, the petitioners started the necessary activities. They were advised by one M/s.S.Pichaiya & Associates, Consulting Civil Engineer and Valuer, that in order to ensure that the existing well is rejuvenate, instead of developing the existing well as it is, the construction of three wells of 10 diameter and depth of 25 meters should be done to ensure structural stability and long-term water storage. The opinion seems to be given by considering the life safety, structural safety, subsoil safety and the public safety with regard to the well. This activity was taken note of by the 1st



respondent, who revoked the permission earlier granted to maintain the existing well. Challenging the same, the present Writ Petition has been filed.

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3. Admit.

4. I heard Mr.Prithivi Raaj, for M/s.A.K.Myilsamy Associates. Mr.N.Naveen Kumar, learned Additional Government Pleader for R1 and R3 and Mr.M.Rajendran, learned Additional Government Pleader for R2.

5. The learned counsel for the respondents states that they do not have any objection if the existing well had been strengthened and developed. However, under the guise of developing the same, the petitioners had unauthorisedly dug four other wells.

6. Mr. Prithivi Raaj, for the petitioners states that this was done on the basis of the expert advice that has been received by the petitioners. The advice forming under a area expertise, this Court considered it fit that the activity of the petitioners and the expert opinion given by the Engineer be reviewed the Executive Engineer, PAP Canal, WRD Division, Parambikulam, Pollachi, Coimbatore District.

7. The Executive Engineer may conduct the inspection by himself or depute an Engineer under him for the purpose of inspection. Thereafter, he will tender an opinion to this Court as to whether the activity of the petitioners based



on the expert advice given by Mr.Pichaiya, Chartered Engineer, is technically correct or whether they are in the guise of digging four new wells in the area.

Further orders can be passed in the Writ Petition on the basis of the technical report obtained from the Executive Engineer. The Executive Engineer is impleaded as the 4th respondent for the limited purpose for inspecting and submitting the report alone.

8. Mr.Naveen Kumar, takes notice for the newly impleaded party.

9. It is made clear that in case the report of the expert goes against the petitioners, the petitioners would have to be ready to close the borewells immediately.

10. For production of the report, call the matter after eight weeks. The Registry is directed to carry out necessary amendment.

27.02.2026

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Neutral Citation: Yes/No
rpl

To

1.The Tahsildar
Anaimalai Taluk
Coimbatore-642 104

2.The Exeuctive officer
Odayakulam Town panchayat
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3.The District Collector
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V.LAKSHMINARAYANAN, J.

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