



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.01.2026

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

W.P(MD)No.1782 of 2026

and

W.M.P(MD)Nos.1403 and 1404 of 2026

J.Balamanoharan

... Petitioner

.Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

3.The Block Development Officer(Village Panchayat),
Kallal Panchayat Union,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in proceedings, dated 13.1.2026 in Na.Ka.A2/2190/2025 and quash the same as illegal, arbitrary and in violation of the principles of natural justice and consequently permit the Petitioner to continue using the pipe culverts



constructed pursuant to the valid permission, dated 17.10.2025 for accessing his agricultural land, thereby preventing irreparable hardship and loss of livelihood.

For Petitioner	: Mr.A.Mohan
For Respondents 1 and 2	: Mr.M.Gangadharan Govt.Avocate
For Respondent-3	: Mr.V.Omprakash Govt.Advocate

ORDER

The present Writ Petition has been filed seeking to quash the order passed by the third respondent, dated 13.01.2026, wherein, permission that was already granted to the Writ Petitioner for putting up pipe culvert, was cancelled.

2.The third respondent in the Writ Petition has granted permission to the Writ Petitioner on 17.10.2025 to put up pipe culvert to reach his property. Some of the villagers have given a complaint to the first respondent on 03.10.2025 stating that the pipe culvert put up by the Petitioner is obstructing the water flow. Based on the said complaint, permission that has been granted was cancelled by passing the impugned order, dated 13.1.2026. Challenging the same, the present Writ Petition is filed.



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3. According to the learned counsel for the Writ petitioner, once permission is granted and if the authority wants to cancel the same, the authorities should have given opportunity to the Petitioner and the Petitioner would be in a position to explain as to how the water flow has not been obstructed. It is clear that permission already granted on 17.10.2025 has been cancelled on 13.01.2026 by the authorities under the impugned order, without issuing any notice to the Petitioner.

4. In view of the above, the Writ Petition is allowed and the order impugned herein is set aside and the matter is remitted back to the third respondent to conduct an enquiry after giving opportunity to the Writ Petitioner and other villagers who have raised objections and thereafter pass orders afresh on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed.

30.01.2026

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

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To

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R.VIJAYAKUMAR.,J.

vsn

ORDER MADE IN



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W.P(MD)No.1782 of 2026
and
W.M.P(MD)Nos.1403 and
1404 of 2026

30.01.2026