



W.P.(MD)No.3559 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.02.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.3559 of 2026
&
W.M.P.(MD)Nos.2894 & 2897 of 2026

S.Venkatesh

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Kanyakumari.
- 2.The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
- 3.The Regional Chief Engineer,
Water Resource Department (WRO),
Madurai Region,
Madurai District.
- 4.The Executive Engineer,
Water Resource Department,
Kothaiyaru Basin Division,
Nagercoil, Kanyakumari District.
- 5.The Superintending Engineer,
Public Works Department (PWD),



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Tirunelveli District.

6.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.

7.The Executive Officer,
Aralvaimozhi Town Panchayat,
Nagercoil,
Kanyakumari District.

8.Annai Construction,
4/370, Panchayat Office Street,
Aavaraikulam Post,
Tirunelveli-627 105.

9.Xavius Selvaraja

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned NOC granted by the 4th respondent vide Letter No. VaPa/Va4/Ko.I. 1.6/2026/28m dated 21.01.2026 and quash the same as illegal and consequently direct the 1st to 7th respondents to safeguard the Avalodai water streams located in Survey No.99/4 in Aaralvaimozhi, Thovalai Taluk, Kanyakumari District and to ensure that the 8th and 9th respondents are not encroached the above water streams by considering the petitioner's representation dated 31.01.2026.

For Petitioner :Mr.S.Vishnuvardhan

For Respondents :Mr.C.Venkatesh Kumar
Special Government Pleader
for R1 to R7
: Mr.Arun Swaminathan
for R8 & R9



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ORDER

Heard both sides.

2. The Executive Engineer, WRD, had given NOC in favour of the layout promoter to utilise the petition mentioned channel for access purpose. We make it clear that the channel cannot be converted into a pathway. Likewise, the flow of water through the channel cannot be impeded. But if after getting permission from the competent authority, the layout promoter wants to put up a bridge, the petitioner cannot have any objection.

3. With the aforesaid observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
12.02.2026

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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NOTE: Issue Order Copy on 12.02.2026



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G.R.SWAMINATHAN, J

and

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