

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 50241 of 2025

and

WMP No. 56211 of 2025

Sakthivel

S/o.Ganapathypillai, Sathukkoodal Village,
Viruthachalam Taluk, Cuddalore District.

..Petitioner(s)

Vs

1. The Government Of Tamilnadu
Rep. By Its Secretary, Water Resources
Department, Fort St. George,
Chennai-600 009
2. The District Collector,
Cuddalore District.
3. The Divisional Engineer,
Highways Department (Construction and
Maintenance) Virudhachalam Taluk,
Cuddalore District.
4. The Assistant Divisional Engineer
Highways Department (construction And
Maintenance) Sub Division,
Virudhachalam Taluk, Cuddalore District.
5. Kalaivani
W/o.Ramakrishnan, Aladi Road, Near Pvg
Theatre, Virudhachalam (PO),
Cuddalore District-606 001

..Respondent(s)

To direct respondents 1 to 4 to restore Iyyanar ponds water in and out flow channels and remove the existing rain-water drain constructed by the



respondents 1 to 4 and illegally constructed pipe culvert which is being reconstructed by the respondents 1 to 4 and to take necessary measures to prevent sewage and drainage water from entering the tank

WP No. 50241 of 2025

For Petitioner(s): Mr.M.Ganesan
for Mr.M.Sridhar

For Respondent(s): Mr.T.Arunkumar,
Addl.G.P for R1 to R4
R5-not ready in notice

Order

(Order of the Court was made by S.M.Subramaniam J.)

Writ of Mandamus has been instituted to direct the respondents 1 to 4 to restore Iyyanar ponds water in and out flow channels and to remove the existing rain water drain constructed by the respondents 1 to 4 and illegally constructed pipe culvert which is being reconstructed by the respondents 1 to 4 and to take necessary measures to prevent sewage and drainage water from entering the tank.

2. The Assistant Divisional Engineer, Highways (C&M), Vridhachalam filed status report. Action was taken by the Department to redress the grievance by forming a Committee consisting of Executive Engineer, Vellar Basin Division, Vridhachalam, Divisional Engineer (Highways) Construction and Maintenance, Vridhachalam and Executive Engineer (RD, DRDA). A joint committee conducted inspection on 18.12.2025 and filed a report to the Divisional Engineer on 19.12.2025 as follows:

A) The Petitioner gave an objection for reconstruction of Box shaped Bridge by Highways department in the link road which connects Pennadam-Virudhachalam road.



WEB COPY

B) Based on the objection, the Joint Committee inspected the Iyyanar Pond in S.No.287/2, Saathukudal Keezhppakku Village. Virudhachalam Taluk, Cuddalore and found that at present the Ayyanar Pond is not used by the public for drinking water purpose,

C) During inspection it was found that the Highways department had already constructed a RCC pipe Culvert in 0/2Km Uchimedu Link Road and the same is being used by the public and the public requested to strength the above said road, based on the request of the public, strenghtening works is being carried out and culvert erection works is also being carried out,

D) Re-Construction of RCC box Culvert along with road strengthening for 1.20 km and culverts at 3 locations) was under Comprehensive Road Infrastructure Development Scheme 2025-2026,

E) Closing the above said culvert will cause water inundation,

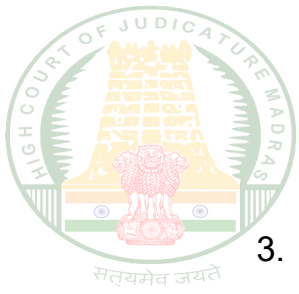
F) There is a overflow of water from a Mini Tank, causing innundation to the Mother and Child Welfare Centre and Local house,

G) To stop innundation by overflow of water from Mini Tank, the Highways Department has agreed to erect a Soak Pit,

H) To reduce mixing of drainage water to the Iyyanar pond, it is proposed to treat the drainage through Phytorid System, the same will be done by the Rural Department,

I) To remove the bushes in the Channel which connect Ayyanar Pond,

J) To go ahead with construction of box shaped bridge.



3. In view of the status report, which would clarify that the grievance of the petitioner, as raised in his complaint has been redressed, no further adjudication is required.

4. During the course of arguments, the learned counsel for the petitioner would submit that the 5th respondent has encroached the pond/ water body, namely, channel and constructed a building.

5. The said factum also shall be verified by the competent authority and if any encroachments are identified in the water body, the same shall be removed by following the procedures as contemplated under the relevant statutes and rules, after affording an opportunity to the alleged encroachers.

6. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (K.S.,J.)
22-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI

To

1. The Secretary, Water Resources Department,
Fort St. George, Chennai-600 009
2. The District Collector,
Cuddalore District.



3. The Divisional Engineer,
Highways Department (Construction and
Maintenance) Virudhachalam Taluk,
Cuddalore District.

WEB COPY

4. The Assistant Divisional Engineer
Highways Department (Construction and
Maintenance) Sub Division,
Virudhachalam Taluk, Cuddalore District.



WEB COPY

WP No. 50241 of 2



**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

vsi

**WP No. 50241 of 2025
and
WMP No. 56211 of 2025**

22-04-2026