

W.P.(MD).No.21313 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.21313 of 2025

K.Mahadevi

... Petitioner

Vs.

1.The Block Development Officer
(Village Panchayat),
Madurai East Union,
Madurai.

2.The Special Officer,
Narasingam Village Panchayat,
Madurai East Union,
Madurai District.

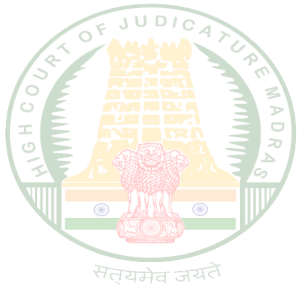
3.The Executive Engineer,
Public Works Department,
Periyar Irrigation Channel,
Madurai.
(R3 is *suo-motu* impleaded by this Court
vide order dated 04.08.2025)

...Respondents

4.Prasanna Kumar K.S.

... Proposed respondent

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 consider the representation of the petitioner, dated 25.07.2025 and to restrain in the respondents in anyway disturbing the petitioner till 24.11.2025.



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For Petitioner : Mr.S.Ramsundarvijayraj

For R1 : Mr.Muthu Manikkam
Government Advocate

For R2 and R3 : Mr.K.R.Badurus Zaman
Government Advocate

For R4 : Mr.V.Vijaya Sethupathy

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned counsel for the respective respondents.

2. The petitioner appears to have been given a contract for plucking lotus from Narasingam Village Kanmai, under the control of the Public Works Department, independently, by the Executive Officer of Y.Narasingam Village Panchayath, Madurai.

3. A Writ Petition was filed by one Prasanna Kumar before this Court in W.P(MD) No.19790 of 2025, wherein, the said petitioner had prayed for a



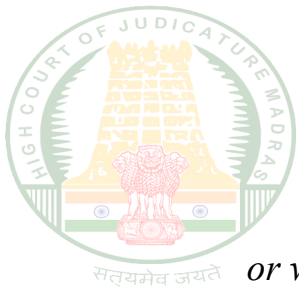
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Mandamus, to direct the Assistant Director of Fisheries Cum Fisherman Welfare Department, Madurai, to consider the petitioner namely Prasanna Kumar's representation, dated 11.07.2025, to preserve and protect the Environment of water body namely Narasingam 4th bit Kanmai situated in S.No.6/6 of Narasingam 4th Bit Village, Madurai East Taluk, Madurai District.

4. In the said Writ Petition, one Ravi was arrayed as 8th respondent, who is none other than the brother of the petitioner herein. The Court, after considering the arguments of the parties and also considering the interest of the petitioner herein, had passed the following orders:

7. The learned Government Advocate appearing on behalf of the respondent Nos.1 to 3 would submit that the respondent No.5 does not have an authority to give right to the private respondent or private respondent's brother in respect of aforesaid kanmoi. However, no rules or business has been produced before this Court.

8. Considering the above, I am inclined to dispose this Writ Petition by directing the 3rd respondent to pass appropriate orders as to whether the respondent No.5 is independently entitled to give rights for collection/plucking of the lotus or whether jurisdiction to give rights for fishing or other aquatic flora/fauna stand vested with the first respondent



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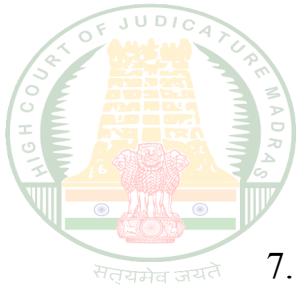
or with the third respondent.

9. Subject to the orders to be passed by the third respondent based on the available Government Rules and Regulations, the interest rights of the parties shall be determined. Therefore, there shall be direction to the 3rd respondent to pass appropriate orders on merits after hearing the petitioner and the respondent No.8 and sister of respondent No.8 namely Mahadevi, who had been awarded the said contract by the respondent No.5. The above exercise shall be completed within a period of four weeks from the date of receipt of copy of this order.

10. With the above direction, this Writ Petition stands disposed of. No costs.

5. Therefore, it is clear that the concerns of all the parties are directed to be considered by the third respondent therein, namely the Executive Engineer, Public Works Department, Periyar Irrigation Channel, Madurai.

6. Considering the same, no further orders are required to be passed in this matter. It is suffice to state that the rights of the petitioner will be subject to the order to be passed by the third respondent in W.P(MD) No.19790 of 2025, namely, Executive Engineer, Public Works Department, Madurai.



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7. Under these circumstances, the Executive Engineer, Public Works Department, Periyar Irrigation Channel, Madurai, is *suo-motu* impleaded as third respondent in this Writ Petition. There shall be a direction to the newly impleaded third respondent to pass orders, within a period of one week from the date of receipt of copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

04.08.2025

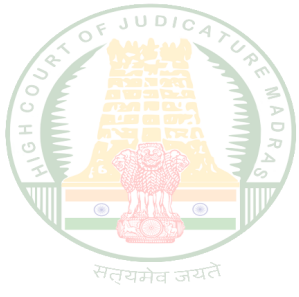
NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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