



W.P(MD)No.9457 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 07.04.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)No.9457 of 2026**

**and**

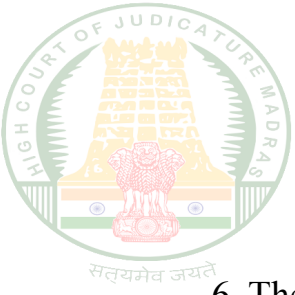
**W.M.P(MD)No.7557 of 2026**

R.Azhagappan

... Petitioner

Vs.

1. The District Collector,  
Pudukkottai District,  
Pudukkottai.
2. The Superintendent of Police,  
Pudukkottai District,  
Pudukkottai.
3. The Deputy Superintendent of Police,  
Ponnamaravathi,  
Pudukkottai District.
4. The Inspector of Police,  
Thirumayam Police Station,  
Pudukkottai District.
5. The Executive Engineer,  
South Pambar Division Basin,  
Water Resource Department,  
Pudukkottai.



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6. The Assistant Engineer,  
Thirumayam Division,  
Thirumayam Sub Division Basin,  
Water Resource Department,  
Thirumayam,  
Pudukkottai District.

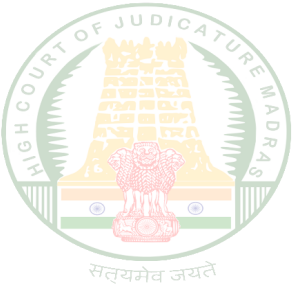
...Respondents

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 6th respondent in Kaditha Yen.Ko 03/Manukkal/U.Po(Thirumayam)/2025, Naal.12.12.2025 and quash the same and consequently, directing the respondents to permit the petitioner association to install 5 CCTV Cameras in the tanks, sluices and in other needy places which are under the control of the petitioner association and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner	:Mr.B.Vinoth Kumar
For R1, R5 & R6	:Mr.P.Thambidurai Government Advocate
For R2 to R4	:Mr.K.Gnanasekaran Government Advocate (Crl.Side)

### **ORDER**

Heard Mr B.Vinoth Kumar, learned counsel appearing for the petitioner, Mr P. Thambidurai, learned Government Advocate, who takes notice on behalf of the respondents 1, 5 and 6 and Mr K. Gnanasekaran, learned Government Advocate (Crl.Side).



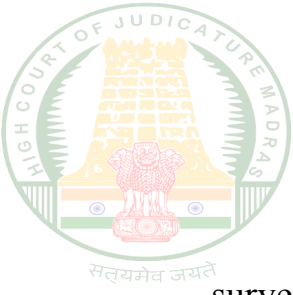
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2. This writ petition is to call for the records relating to the impugned order dated 12.12.2025 passed by the 6th respondent, to quash the same, and, consequently, to direct the respondents to permit the petitioner association to install 5 CCTV cameras in the tanks, sluices, and other needy places under the control of the petitioner association.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the president of the *Ayacut Association*, which is interested in the tank and has a share in the fishing rights. He would further submit that people are also indulging in illegal fishing, earth mining and other illegal activities in the tanks. Therefore, the petitioner sought permission to install CCTV cameras, which the respondents have now refused.

4. That apart, the learned counsel appearing for the petitioner would submit that merely because there is no enabling provision, the petitioner's request to install CCTV cameras at their own expense for



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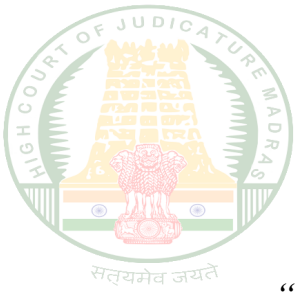
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surveillance of the entire area should not be refused by the respondents, as it is for the welfare and maintenance of the tank.

5. Per contra, the learned Government Advocate appearing for the respondents would submit that the tanks are under the control of the Water Resources Department. The petitioner association is only an ayacut association and does not have any rights over the control or share as claimed by the petitioner. In any event, the water body is also used for multiple purposes, including bathing by women. Surveillance in the area is neither necessary nor appropriate.

6. I have considered the rival submissions made on either side and perused the material records of the case.

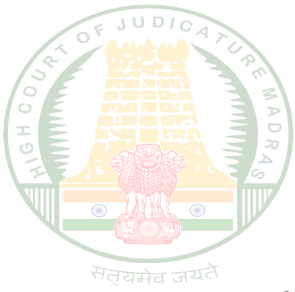
7. Open Area/Public Space CCTV to deter crime or to ensure safety can be considered as justifiable intrusion into one's right to privacy, subject to proportionality standard as laid down by the Hon'ble Supreme Court of India in Justice K.S.Puttaswamy (Privacy -9- 2017 10 SCC 1 - paragraph 310 and the relevant portion reads thus:



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*“310. While it intervenes to protect legitimate State interests, the State must nevertheless put into place a robust regime that ensures the fulfilment of a threefold requirement. These three requirements apply to all restraints on privacy (not just informational privacy). They emanate from the procedural and content-based mandate of Article 21. The first requirement that there must be a law in existence to justify an encroachment on privacy is an express requirement of Article 21. For, no person can be deprived of his life or personal liberty except in accordance with the procedure established by law. The existence of law is an essential requirement. Second, the requirement of a need, in terms of a legitimate State aim, ensures that the nature and content of the law which imposes the restriction falls within the zone of reasonableness mandated by Article 14, which is a guarantee against arbitrary State action. The pursuit of a legitimate State aim ensures that the law does not suffer from manifest arbitrariness. Legitimacy, as a postulate, involves a value judgment. Judicial review does not reappreciate or second guess the value judgment of the legislature but is for deciding whether the aim which is sought to be pursued suffers from palpable or manifest arbitrariness. The third requirement ensures that the means which are adopted by the legislature are proportional to the object and needs sought to be fulfilled by the law. **Proportionality is an essential facet of the guarantee against arbitrary State action because it***



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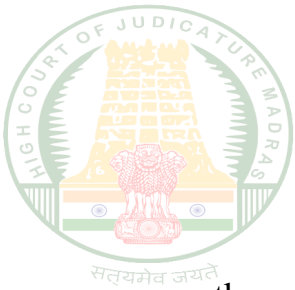
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*ensures that the nature and quality of the encroachment on the right is not disproportionate to the purpose of the law. Hence, the threefold requirement for a valid law arises out of the mutual interdependence between the fundamental guarantees against arbitrariness on the one hand and the protection of life and personal liberty, on the other. The right to privacy, which is an intrinsic part of the right to life and liberty, and the freedoms embodied in Part III is subject to the same restraints which apply to those freedoms.”*

8. Proportionality was further explained by the Hon'ble Supreme Court of India in *Anuradha Bhasin v. Union of India*, (2020) 3 SCC 637 and paragraph 57 is extracted for ready reference:

*“57.The proportionality principle, can be easily summarised by Lord Diplock's aphorism “you must not use a steam hammer to crack a nut, if a nutcracker would do?” [refer to R.v.Goldstein[R.v.Goldstein, (1983) 1 WLR 151 (HL)] , WLR at p. 155 (Diplock, J.)]. In other words, proportionality is all about means and ends.”*

9. If the petitioner believes that any unauthorised fishing is taking place, it will be open for the petitioner to lodge a complaint with the jurisdictional police and the same will be looked into and investigated in

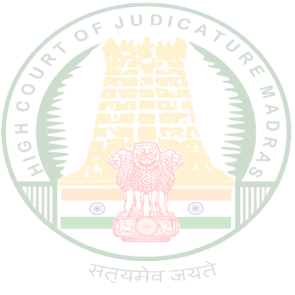


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the manner known to law. Similarly, with reference to illegal earth mining or interference with the affairs of the tank, if a specific incident is brought to notice, a complaint can be lodged, and the same shall be immediately registered after conducting a preliminary inquiry, with appropriate action taken against illegal mining, etc.

10. But the petitioner seeks CCTV surveillance. The lakes and water bodies are traditional resources of the entire village, used for multiple purposes, including bathing, swimming, and leisure activities(without any gender difference). The homes of the people are small, and the lakes or lake bunds traditionally also serve as semi-private spaces. People breathe easy in their privacy in these areas and move around freely. Therefore, CCTV surveillance in a sparsely populated rural setting would not be proportionate and is excessively intrusive in the context of a village lake. Even the state should not indulge in the same unless there is a strong justification. Apart from proportionality, there is also no enabling provision for the Ayacut Association to become the surveillance authority. The permission sought, therefore, cannot be held to be legal.



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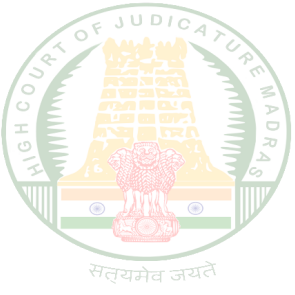
11. Therefore, I am of the view that the prayer made by the petitioner cannot be countenanced. However, the petitioner shall be at liberty to lodge specific complaints regarding unauthorised fishing, illegal removal of earth, soil, or any other damage to the water bodies, upon which prompt action shall be taken by the jurisdictional police or other authorities.

12. With the aforesaid liberty kept open, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

07.04.2026

Index: Yes  
Speaking Order: Yes  
Neutral Citation: Yes  
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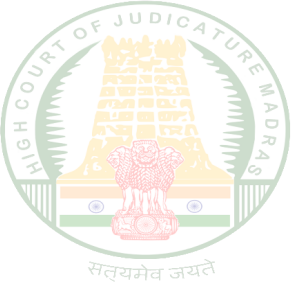


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**D.BHARATHA CHAKRAVARTHY, J.**

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