

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16149 of 2015

1.Jaganatha Pravin

... Petitioner

Vs.

1 The State of Tamil Nadu
Rep by its Secretary to Government Public
Works Department Fort St. George Chennai 9

2 The Chief Engineer
Public Works Department Chepauk Chennai 5

3 The President
Tamil Nadu Electricity Board Rep by its
Chairman Anna Salai Chennai 2

4 The District Collector
Namakkal District Namakkal

5 Shanmugam
C/o.New Bharath Pipe Company Pothanur Post
Paramathi Velur Taluk Namakkal District

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to enforce strictly the conditions stipulated in G.O.Ms. No.331 dt 12.10.2007 of the Public Work (No.1) Department in accordance with law.

For Petitioner : Mr.C.D.Johnson
For Respondents : Mr.N.Roofus Abraham
for R1, R2 and R4
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that the petitioner along with his family members including his younger brother are doing agricultural

operations in respect of 5 acres of land owned by them in Madakasampatti K.Pudupalayam Post, Velur Taluk, Namakkal District. The petitioner would further state that the petitioner is also the president of S.1261 Putlampaarai Primary Agricultural Society, Paramathi Velur Taluk, Namakkal District and one of the guidelines being followed by the society is that no water should be directly drawn from the river Cauvery and the society should not at any point of time, exploit the water for commercial purposes.

3.The grievance expressed by the petitioner is that the fifth respondent, the present President of Tholur Sri Kaliamma small farmers lift irrigation society is exploiting the water meant for irrigation purely for commercial purposes and in this regard, he submitted a representation dated 03.02.2015 to the respondents 1 to 4 and since he has not been favoured with any response, came forward to file this writ petition.

4.Heard the submissions of Mr.C.D.Johnson, learned counsel appearing for the petitioner and Mr.N.Roofus Abraham, learned Government Advocate who accepts notice on behalf of the respondents 1, 2 and 4.

5.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without entering upon the merits of the same, directs the fourth respondent to consider and dispose of the petitioner's representation dated 03.02.2015 in accordance with law after putting on notice the fifth respondent and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the fifth respondent. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

- 1 The Secretary to Government,
Public Works Department Fort St. George Chennai 9
- 2 The Chief Engineer
Public Works Department Chepauk Chennai 5

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3 The Chairman,
Tamil Nadu Electricity Board
Anna Salai Chennai 2

4 The District Collector
Namakkal District Namakkal.

1 cc to Mr. C.D.Johnson, Advocate Sr.No.27650

2 cc to Government Pleader.Sr.No.28122

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