



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

W.P.(MD)No.1514 of 2015

and

M.P.(MD)No.1 of 2015

S.Saminathan

...Petitioner

Vs.

1.The District Collector,
Thanjavur, Thanjavur District.

2.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
Chennai.

3.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Thanjavur Project Division, Thanjavur,
Thanjavur District.

4.The Indian Human Pipe Co.Ltd.,
Construction House,
5, Walchad Hirachand Marag,
Ballard Estate, Mumbai.

...Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from using more than one collector well in the Village Annaikudi, Veeramangudi, Semmangudi for the project of Combined Water Supply Scheme in Thanjavur District with river Kollidam as source by considering the petitioner's representation dated 12.01.2015.

For Petitioner : Mr.V.S.Balamurugan

For Respondents : Mr.N.Manoharan, Spl.G.P.

ORDER

(Order of this Court was made by S.TAMILVANAN,J.)

The Writ petition has been filed under Article 226 of the Constitution of India, seeking an order in the nature of Writ of Mandamus or any other appropriate Writ or direction, forbearing the respondents from using more than one collector well in Annaikudi, Veeramangudi, Semmangudi for the project of Combined Water Supply Scheme in Thanjavur District in Kollidam river by considering the representation dated 12.01.2015.

2.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

3.Learned counsel appearing for the petitioner drew the attention of this Court to the copy of the representation dated 12.01.2015 and also the Xerox copy of the postal acknowledgments. It is seen that the representation was not directly handed over to the District Collector, the first respondent herein, but, the same was sent through post.



4.Learned Special Government Pleader appearing for the respondents submitted that the request of the petitioner is against G.O.(MS)No.158, Municipal Administration and Water Supply (WS4) Department, dated 19.10.2013. A copy of the said G.O. is also available in the typed set of papers.

5.According to the learned counsel appearing for the petitioner, if there are more than one collector well to extract water from Kollidam river, that would affect the petitioner and other persons in the said village.

6.Having considered the submissions made on either side, we direct the respondents to consider the representation of the petitioner dated 12.01.2015 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

The Writ petition is disposed of accordingly. No costs. Consequently, connected M.P.is closed.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Thanjavur, Thanjavur District.

2.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
Chennai.

3.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Thanjavur Project Division, Thanjavur,
Thanjavur District.

+1cc to the Special Government Pleader in SR.6024

W.P. (MD) No.1514 of 2015
09.02.2015

nbj

pbk 26/02/2015 ::2p-5c: