



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.09.2016

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THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P (MD) No.20202 of 2014

N.Regunathan

.. Petitioner

vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government
Public Works Department,
Fort St. George, Chennai.
- 2.The Engineer in Chief,
Public Works Department
Chepauk, Chennai.
- 3.The Chief Engineer
Public works Department
Water Resource Organisation,
Madurai Region, Madurai.
- 4.The Superintending Engineer
Public Works Department
Periyar Vaigai Basin Division,
Madurai.
- 5.The Executive Engineer
Public Works Department
Water Resource Organisation,
Periyar Main Canal Division,
Melur, Madurai District
- 6.The District Collector
Sivagangai District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to direct the respondents to release water forthwith from Periyar Credit to the single crop area covered under 143 tanks located at Sivagangai and Thiruppathur Taluk of Sivagangai Districts.



For Petitioner
For Respondents

:Mr.A.Rahul
:Mr.T.R.Janarthanam
Addl. Government Pleader

ORDER

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(Order of the Court was made by S.NAGAMUTHU, J.)

This petition has been filed as a public interest litigation seeking a direction to the respondents to release water forthwith from Periyar Dam to single crop areas covered under 143 tanks located at Sivagangai and Thiruppathur Taluk of Sivagangai District.

2. We have heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and we have also perused the records.

3. This writ petition was filed in the year 2014 for release of water for the said crop season. Now, we are in 2016 and it is not known as to what is the water storage position in the Periyar Dam. Further, there are lot of technical issues involved in respect of water management and for the mere asking of the petitioner, this Court cannot issue any positive direction to release water. It is for the authority to take into account various factors and technical issues and then to decide as to whether to release water and if so, what is the quantity of water could be released, under what time. Since these issues cannot be resolved in this writ petition, we are unable to grant any relief, more particularly, this writ petition has become infructuous, as this writ petition was filed seeking the relief for the crop year 2014-2015. Accordingly this writ petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

RR

To

1.The Secretary to Government, The State of Tamil Nadu,
Public Works Department,
Fort St. George, Chennai.

2.The Engineer in Chief,
Public Works Department
Chepauk, Chennai.



3.The Chief Engineer
Public works Department
Water Resource Organisation,
Madurai Region, Madurai.

4.The Superintending Engineer
Public Works Department
Periyar Vaigai Basin Division,
Madurai.

5.The Executive Engineer
Public Works Department
Water Resource Organisation,
Periyar Main Canal Divison,
Melur, Madurai District

6.The District Collector
Sivagangai District

+1CC to Mr.A.Rahul, Advocate Sr.No.53263
+1CC to Spl.Government Pleader Sr.No.53172
+1CC to Mr.N.R.Prabhu, Advocate Sr.No.53024

GJM/SK/SKN/21.10.16-3p-10C

**W.P. (MD) No.20202 of 2014
and M.P.Nos.1 to 6 of 2014
16.09.2016**