



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P (MD) No.13715 of 2016

K.K.Ramesh

Managing Trustee

Tamil Nadu Centre for Public Interest Litigation

No.26A Old Mahalipatti Road, Madurai.

.. Petitioner

Vs.

1.The Government of India

Rep. by its Secretary

Ministry of Water Resources

No.412 Shram Shakti Bhawan, Rafi Marg

New Delhi -110 001.

2.The State of Tamilnadu

Rep. by its Chief Secretary

Secretariate, Chennai 600 009.

3.The Government of Tamil Nadu

Rep. by its Secretary

Public Works Department and

Water Resources Organization

Fort St. George, Secretariate, Chennai 600 009.

4.The Engineer in Chief

Water Resources Department

Chepauk, Chennai -5 (WE)

5.The Chief Engineer,

Operation and Maintenance

Water Resources Department

Chepauk, Chennai 5 (WE)

6.The Executive Engineer,

Public Works and Water Resources Organization

Periyar Vaigai Basin Project,

Thallakulam, Madurai-2.

7.The District Collector

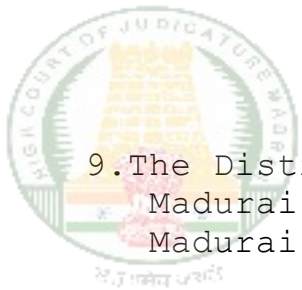
Theni District, Theni.

<https://hccservices.dindigul.nic.in/>

8.The District Collector

Dindigul District

Dindigul.



9.The District Collector
Madurai District
Madurai.

10.The District Collector
Sivagangai District
Sivagangai.

11.The District Collector
Ramanathapuram District
Ramanathapuram.

12.The Commissioner
Madurai Corporation
Arignar Anna Maaligai
Madurai.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, based on this Court having passed orders regarding the pollution in Vaigai River in W.P.(MD) Nos.4618 of 2011, 19507 of 2013 and 19513 of 2013 dated 11.02.2014 to constitute a committee to file a report before this Court and on the basis of the report of this Court should issue suitable direction to the respondents within a stipulated time Limit as fixed by this Court, by considering the representation dated 05.07.2016.

For Petitioner	: Mr.K.K.Ramesh Party in person
For Respondents	: Mr.Ayiram K.Selvakumar Government Advocate RR2 to RR11 Mr.Shanmugaselvan for R12

ORDER

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

The petitioner claims to be the Managing Trustee of a Trust known as Tamil Nadu Centre for Public Interest Litigation at Madurai. Earlier, the petitioner filed a batch of Writ petitions in W.P.(MD) No.4618 of 2011, 19507/2013 and 19513/2013 seeking certain directions. A Division Bench of this Court, by a common order dated 11.02.2014, passed an order, thereby constituting a committee consisting of T.Gandhimathinathan, Superintending Engineer, Public Works Department, Water Resources Organisation, Palar Basin Chennai and Dr.V.Nagarajan, Associate Professor, Department of Civil Engineering, S.S.N.College of Engineering, Chennai. The committee was directed to inspect the rivers, namely, Vaigai and Kirudhumal Rivers and submit a report in respect of both the rivers. Subsequently, it appears that a



report was also filed by the Committee. But, no action has been taken on the basis of the report, as of now. Therefore, the petitioner has come up with the present writ petition seeking a direction to constitute a committee to file a report before this Court and on the basis of the report to issue suitable direction as held in W.P.(MD) Nos.4618/2011, 19507 and 19513/2013 dated 11.02.2014.

2. Today, when the matter was taken up, the party in person appeared and made his submissions. We have heard the learned Government Advocate for the respondents and we have also perused the records.

3. From the perusal of the record and the order passed by this Court in the earlier writ petitions dated 11.02.2014, it is crystal clear that this Court has constituted a Committee and there are also subsequent orders passed. It is the grievance of the petitioner that the said order of this Court dated 11.02.2014 has not been complied with by the respondents and no report has been received so far. If that be the grievance, the remedy for him lies elsewhere. For the very same relief, there cannot be any number of writ petitions and there cannot be any other directions. This writ petition is highly misconceived and therefore, the same is dismissed. No costs.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

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The Government of India
Ministry of Water Resources
No.412 Shram Shakti Bhawan, Rafi Marg
New Delhi -110 001.

2.The Chief Secretary

The State of Tamilnadu
Secretariate, Chennai 600 009.

3. The Secretary

The Government of Tamil Nadu
Public Works Department and
Water Resources Organization
Fort St. George, Secretariate, Chennai 600 009.

<https://hccourtservices.in> 4.The Engineer in Chief

Water Resources Department
Chepauk, Chennai -5(WE)



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Operation and Maintenance
Water Resources Department
Chepauk, Chennai 5 (WE)

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Ramanathapuram District
Ramanathapuram.

12.The Commissioner
Madurai Corporation
Arignar Anna Maaligai
Madurai.

+1cc to Mr.K.K.Ramesh, Party in Person, SR.NO.51257/16

+1cc to Mr.N.Shanmugaselvam, Advocate Sr.No.51287/16

+1cc to special Government Pleader SR.No.51936

RR

sm:SS2:23.09.2016:4P/16C

ORDER MADE IN
W.P (MD) No.13715 of 2016
09.09.2016