



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2016

CORAM:

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

W.P. [MD].No.19376 of 2016
and
W.M.P. (MD)No.13970 of 2016

Charles : Petitioner

Vs.

1.The District Collector,
O/o. District Collectorate,
Kanyakumari District at
Nagercoil.

2.The Executive Officer,
Reethapuram Town Panchayat,
Reethapuram,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to proceed the dredging work in the pond by name Karaiyakulam, situated in Karaiyakulam Village within the limit of Reethapuram Town Panchayat, Kanyakumari District, only after the plants are harvested around the Karaiyakulam pond.

For Petitioner : Mr.P.Santhana Krishnan
For Respondents : Mr.Aayiram K.Selvakumar,
Government Advocate

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Public Interest Litigation, seeking a direction to the respondents to proceed with the dredging work in the pond, by name Karaiyakulam, situated in Karaiyakulam Village, in Kanyakumari District, until the harvest is over in the neighbouring areas.



2. This Writ Petition has come up today for admission. We have heard the learned counsel for the petitioner and the learned Government Advocate, taking notice for the respondents. We have also perused the records carefully.

3. The apprehension of the petitioner is that under the guise of desilting the pond, without taking adequate measure, likelihood of water being released, which may affect the crops, which are raised in the neighbouring lands.

4. The learned Government Advocate, taking notice for the respondents, would submit that the Public Works Department would take adequate care to ensure that there is no damage caused to the crops by release of water. The same is recorded.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
O/o. District Collectorate,
Kanyakumari District at
Nagercoil.

2.The Executive Officer,
Reethapuram Town Panchayat,
Reethapuram,
Kanyakumari District.

+1 cc to M/S.P.SANTHANAKRISHNAN, Advocate Sr.No.59723

+1 cc to Special Government Pleader Sr.No.60598

Order made in
W.P. [MD] .No.19376 of 2016
Dated: 05.10.2016

SMA/SKS-RR/19/10/2016 :2P/5C