



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.11.2016**

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

AND

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P. [MD] .No.22654 of 2016

Natarajan

: Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Water and Drainage Board,
Annasalai,
Chennai.

2.The District Collector,
Office of the District Collector,
Thoothukudi District.

3.The Executive Engineer,
Tamil Nadu Water and Drainage Board,
Palayamkottai,
Tirunelveli District.

4.The Manager,
K.M.Engineering Enterprises,
No.51, Teachers A Colony,
Palayam Chettikulam,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbear the respondents from cutting trees stands near Petchiyamman Temple in Muthalankurichi Village Survey No.378, in Tamirabarani river bank, at Muthalakurichi Village, Tirunelveli District, consequently to direct the respondents to perform water pipe line works in Muthalakurichi Village, Tirunelveli District in accordance with the scheme approved by the authorities.

For Petitioner	: Mr.R.Alagumani
For Respondents 1&3	: M/s.Porkodi Karnan
For Respondent No.2	: 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 litigation under the guise of a Public Interest Litigation seeking a direction to forbear the respondents from cutting the trees standing near Petchiyamman Temple in Muthalankurichi Village, in Survey No.378, by the side of Tamirabarani River Bank, and also for a further direction to the respondents to install water pipelines in accordance with the approved Scheme.

2. We have heard the learned counsel for the petitioner, M/s.Porkodi Karnan, learned counsel, entering appearance for the first and third respondents and Mr.Aayiram K.Selvakumar, learned Government Advocate, taking notice for the second respondent. We have also perused the records carefully.

3. A perusal of the records would go to show that a combined water supply project has been executed by the Contractor. The Contractor has been imposed number of conditions. Therefore, it is for the Contractor to execute the work in accordance with the terms and conditions of the contract. So far as removal of the trees are concerned, for removal of each tree for the purpose of the said project, the respondents shall plant ten trees.

4. The Writ Petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar ((T&P)

/True copy/

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu Water and Drainage Board, Annasalai, Chennai.

2.The District Collector,
Office of the District Collector, Thoothukudi District.

3.The Executive Engineer,
Tamil Nadu Water and Drainage Board,
Palayamkottai, Tirunelveli District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.73721

Order made in

W.P. [MD] .No.22654 of 2016**Dated: 25.11.2016**