



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2016

CORAM:

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Writ Petition (MD)No.9161 of 2016

and

W.P.M.P. (MD)No.7297 of 2016

1.C.Natarajan Servai
President,
Rangiyan and Allinagaram Kanmai
Users Association,
Melarangiyam, Pasumpon Nagar,
Melarangiyam Post,
Thiruppuvanam Via, Sivagangai District. ... Appellants

vs.

1.The District Collector
Collectorate,
Sivagangai District
Sivagangai.

2.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.

3.Venkat Reddy ... Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of a writ of mandamus, directing the respondents to consider the petitioner's representation dated 26.04.2016 and further direct them to carry out de-silting work of Rangiyan Kanmai in Survey No.99, Allinagaram Village, Thiruppuvanam Taluk, Sivagangai District and thereby use.

For Petitioner : Mr.R.Prabhu Ramachandran

For Respondent : Mr.J.Gunaseelan Muthiah
(R1 &R2) Govt. Advocate

**ORDER**

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

The petitioner claiming himself to be a President of an Association, which is said to be consisting of persons using water from a Kanmai, is aggrieved by the action of the respondents in attempting to de-silt one of the Kanmais without taking a combined effort to de-silt both the Kanmais.

2. According to the petitioner, if the de-silting operation is taken up only in respect of one Kanmai, the level of the water in other Kanmais will be affected, as according to the petitioner, there is no barrier between both the Kanmais.

3. In our view, these issues cannot be examined in a writ petition and it is for the authorities to take into consideration. The grievance of the petitioner is that the petitioner made a representation to the first respondent, on 26.04.2016, and has immediately rushed to this Court without even giving reasonable time to the authorities to act on the representation.

4. In the light of the above, there will be a direction to the second respondent to consider the petitioner's representation, dated 26.04.2016, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this Order.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1.The District Collector,
Collectorate, Sivagangai District, Sivagangai.

2.The Tahsildar, Thiruppuvanam Taluk, Sivagangai District.

+one cc to M/s.R.Prabhu Ramachandran, Advocate in SR.No.25883

arul/krk

CSL/MP/11.05.2016 :2P/4C

Writ Petition (MD)No.9161 of 2016

and

W.P.M.P.(MD)No.7297 of 2016

04.05.2016