

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 03.08.2017****CORAM :**

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.595 of 2015
and
M.P(MD)Nos.1 & 2 of 2015**

A.Senthil Kumar

... Petitioner

Vs.

1.State of Tamil Nadu
Rep.by its Secretary,
Public Works Department,
Fort St.George, Chennai.

2.The District Collector,
Madurai, Madurai District.

3.The Executive Engineer,
Public Works Department (WRD),
Peryaru Vaigai River Basin Region,
Madurai District.

4.The Commissioner,
Madurai Corporation, Madurai.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the respondents from constructing 10 feet wide closed channel in the Kulamangalam - Sellur Road and consequently for a direction, directing the respondents to remove the encroachments in the Pandhalkudi Channel and regulate the surplus water disposal system from Sellur Tank to Vaigai River through the Panthalkudi Channel as per the proceedings of the third respondent in Letter No.Va3/128M/Kho.8/2012, dated 15.03.2012 within the time stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.M.Govindan,
Special Government Pleader for RR1 to 3

**O R D E R****(Order of the Court was made by G.R.SWAMINATHAN, J.)**

This writ petition has been filed for directing the respondents to remove the encroachments in Panthalkudi Channel and for regulating the surplus water disposal system from Sellur Tank to Vaigai River through Panthalkudi Channel. The writ petitioner wants to restrain the respondents from constructing 10 Feet wide closed channel in Kulamangalam - Sellur Road.

2.The writ petitioner would place reliance on the proceedings dated 15.03.2012 issued by the third respondent. This Court is not in a position to go into the merits of the matter. Therefore, a direction is issued to the third respondent to dispose of the petitioner's representation dated 13.12.2014 in accordance with law and within a period of eight weeks from the date of receipt of a copy of this order. The third respondent shall communicate a copy of the decision taken by him to the writ petitioner.

3.The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary,
Public Works Department,
Fort St.George,
Chennai.

2.The District Collector,
Madurai, Madurai District.

3.The Executive Engineer,
Public Works Department (WRD),
Peryaru Vaigai River Basin Region,
Madurai District.

4.The Commissioner,
Madurai Corporation,
Madurai.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. NO.70630

+1cc to Mr.T.LAJAPATHI ROY Advocate in SR. No.70333

SKM/TSG

JS/GT/SAR.1/22.08.2017/2P-7C

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