



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.22419 of 2017

and

W.M.P. (MD) No.18733 of 2017

N.Krishnan

... Petitioner

Vs.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Avudayarkovil Taluk,
Pudukkottai District.

4.The Superintending Engineer,
Public Works Department,
Kallanai Kalvaikottam,
Nagudi, Pudukkottai District.

5.The Assistant Engineer,
Public Works Department,
Nagudi, Pudukkottai District.

6.Shanmugam

7.Sakthi

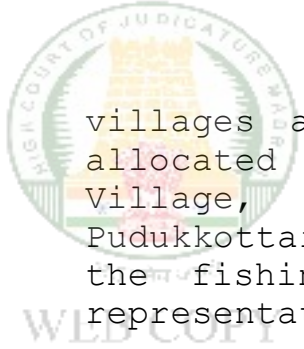
8.Viram Sundaram

9.Rathinasapapathy

10.Ramanathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 5 herein to regularize and allocate the supply of water based on the ratio of agriculture land vested with the



villages and also to ensure the supply of water based on the allocated ratio to the petitioner's village at Chennakarampai Village, Keelgudi Vadathur Panchayat, Avudayarkovil Taluk, Pudukkottai District from Sathagudi Kanmai and also regularized the fishing rights of the Kanmai based on the petitioner's representation dated 23.11.2017.

For Petitioner : Mr.M.Suresh
 For Respondents : Mr.T.S.Mohamed Mohideen
 Additional Government Pleader
 for R1 to R5

ORDER

By consent, the writ petition is taken up for final disposal, at the stage of admission itself.

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for respondents 1 to 5. Notice to all other respondents is dispensed with, as no adverse order is going to be passed against them.

3. The petitioner, who is an agriculturalist in Melamadai, is before this Court and according to him, he as well as his villagers are depending upon the water flowing from Sathakudi Kanmai for agricultural activities. It is his grievance that the contesting respondents herein, who are in Keelamadai area, are opening the Keelamadai, without any authority, thereby, resisting the flow of water to the petitioner's area, viz., Melamadai. In addition, the respondents 6 to 10 are also enjoying the fishery rights in the said Kanmai, without any valid licence. Aggrieved thereby, the petitioner has submitted a representation dated 23.11.2017, before the official respondents, narrating all the facts. As the said representation is kept pending, without any action, the present petition came to be filed.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 23.11.2017, is disposed of by the authorities, on merits.

5. Considering the facts and circumstances of the case and also the limited scope of the relief sought for, this Court, without going in to the merits of the case, directs the respondents 1 to 5 to consider the representation of the petitioner dated 23.11.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and respondents 6 to 10 as well as all interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.



6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

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/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
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Pudukkottai District.

3.The Tahsildar,
Avudayarkovil Taluk,
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4.The Superintending Engineer,
Public Works Department,
Kallanai Kalvaikottam,
Nagudi, Pudukkottai District.

5.The Assistant Engineer,
Public Works Department,
Nagudi, Pudukkottai District.

+1CC to Mr.M.Suresh, Advocate, SR.No. 91497

ORDER MADE IN
W.P (MD) No.22419 of 2017

gk

AM/SV MMS/SAR 2/08.12.2017/3P/7C