



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.3153 of 2017

O.Homer Lal

.. Petitioner

Vs.

1.The Government of Tamil Nadu rep. by
the Secretary to Government,
Public Works Department (PWD),
Fort St. George, Chennai - 600 009.

2.The District Collector,
at Nagercoil, Kanyakumari District.

3.The Executive Engineer,
Public Works Department Office,
PWD Road, Nagercoil,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to carry out de-silting work at Pechiparai dam as well as at the Mukkadal dam situated in Kanyakumari District so as to enable the dams to store water to its full capacity by considering the representation of the petitioner dated 02.02.2017.

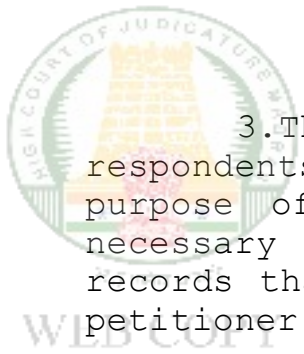
For Petitioner	: Mr.S.C.Herold Singh
For Respondents	: Mr.M.Govindan, Special Government Pleader.

ORDER

[Order of the Court was made by A.SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to de-silt Pechiparai and Mukkadal Dams situated in Kanyakumari District, by way of issuing a writ of mandamus.

<https://hcservices.ecourts.gov.in/hcservices>
Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents.



3.The learned Special Government Pleader appearing for the respondents has represented that even in the year 2014 for the purpose of conducting survey with regard to de-silting works, necessary G.O. has been passed. Further it is seen from the records that on 02.02.2017 a representation has been given by the petitioner. But the same has not been considered.

4.The learned counsel appearing for the petitioner has contended that there is no inflow of water to the dams mentioned in the petition.

5.Considering the aforesaid factual circumstances and also considering the fact that the Government of Tamil Nadu have already issued necessary G.O. for conducting survey with regard to de-silting works, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the respondents are directed to de-silt Pechiparai as well as Mukkadai Dams situated in Kanyakumari District within a period of three months.

Sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To

1.The Secretary to Government,
Public Works Department (PWD),
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2.The District Collector,
at Nagercoil, Kanyakumari District.

3.The Executive Engineer,
Public Works Department Office,
PWD Road, Nagercoil,
Kanyakumari District.

+1CC to M/S.S.C.Herold Singh, Advocate, SR.No. 9985
+1CC to the Special Government Pleader, SR.No. 10477

ORDER MADE IN
W.P (MD) No.3153 of 2017
23.02.2017