

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition Nos.13417 and 16154 of 2008

COMMON ORDER:

In both these Writ Petitions, the petitioners have questioned the action of the respondents, in closing and leveling the canal, as arbitrary and illegal. A consequential direction is sought not to close the canal which supplies water to the lands of small farmers such as the petitioners, without considering the petitioners' representation.

By an order dated 20.06.2008 status-quo as on that day was directed to be maintained. The said interim order of status-quo was extended until further orders, by order dated 17.07.2008. The matter has been pending on the file of this Court since then. While the petitioners would not have any right to claim that the Government should not close the canal, or that the canal should be continued to be maintained, the fact remains that, for the past nearly a decade, the order of status-quo is subsisting.

Instead of keeping these Writ Petitions pending on the file of this Court, it would suffice if the petitioners are permitted to submit a representation afresh in this regard within two weeks from today. On such a representation being submitted by the petitioners, the respondents shall consider the same and pass orders thereupon, in accordance with law, within two months thereafter. It is made clear that, in case the petitioners do not submit a representation within the afore-stipulated period of two weeks, or after their representation, if any, submitted is

disposed of, it is open to the respondents to take necessary action, with regards the subject canal, in accordance with law.

Both the Writ Petitions are, accordingly, disposed of. The Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:03.03.2017.

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