

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7684 of 2018

S.Sivagami

.. Petitioner

-vs-

1. The Executive Engineer
PAP Aliyar Vadinila Division
Udumalai Road, Pollachi
Coimbatore District
2. The Assistant Executive Engineer
PAP Aliyar Vadinila Division
Udumalai Road, Pollachi
Coimbatore District
3. The Assistant Engineer
PAP Aliyar Vadinila Division
Udumalai Road, Pollachi
Coimbatore District
4. Periyakaliyappan
5. Chinna Kaliyappan
6. Nandhakumar

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's representation dated 27.02.2018 for taking appropriate action to ensure the free supply of water to the petitioner's agricultural land measuring to an extent of 1.1.00 Hectares comprised in S.No.40/2 of Thondamuthur Village, Pollachi Taluk, Coimbatore District through the Mathagu No.3 (Straight) South Madai No.1 from the Sub Water Channel 10.2000 irrigation division No.5, Parambikulam Aliyar Project without any interference by the respondents 4 to 6 herein.

For Petitioner :: Mr.V.Ravi

For Respondents :: Mr.K.T.Devendran
Additional Government Pleader
for R1 to 3

ORDER

This writ petition has been filed seeking a mandamus to the respondents 1 to 3 herein to consider the petitioner's representation dated 27.02.2018 for taking appropriate action to ensure the free supply of water to the petitioner's agricultural land measuring an extent of 1.1.00 Hectares comprised in Survey No.40/2 of Thondamuthur Village, Pollachi Taluk, Coimbatore District through the Mathagu No.3 (Straight) South Madai No.1 from the Sub Water Channel 10.2000 Irrigation division No.5, Parambikulam Aliyar Project without any interference by the respondents 4 to 6 herein.

2. Learned counsel for the petitioner submitted that the petitioner is the owner of 1.1.00 Hectares of agricultural land covered in Survey No.40/2 of Thondamuthur Village, Pollachi Taluk, Coimbatore District. The said land originally belonged to late Marimuthu Gounder and late Palanichamy Gounder, the petitioner's grandfather and father respectively and their legal heirs. The petitioner is also one of the legal heirs. When the said land is covered with irrigation facilities under the Parambikulam Aliyar Project Water Scheme, after distribution of water, which is also managed by the respondents 1 to 3, the petitioner's land is being cultivated. While so, the respondents 4 to 6 have damaged the water channel and also further prevented the free flow of water into her land. In this regard, a representation dated 27.2.2018 for taking appropriate action to ensure the free supply of water to the petitioner's agricultural land, as mentioned above, covered in Survey No.40/2 situated at Thondamuthur village, Pollachi Taluk has been given and the same has been pending for quite a long time. Now the time has come to supply the water. Therefore, a direction be issued so that the petitioner will be able to get the water to her land.

3. Although the learned Additional Government Pleader for the respondents 1 to 3 sought time to take instructions, this Court, considering the nature of prayer made by the petitioner, without going to the merits, hereby directs the respondents 1 to 3 to consider the pending representation of the petitioner and take appropriate action within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.9587 of 2018 is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ss

To

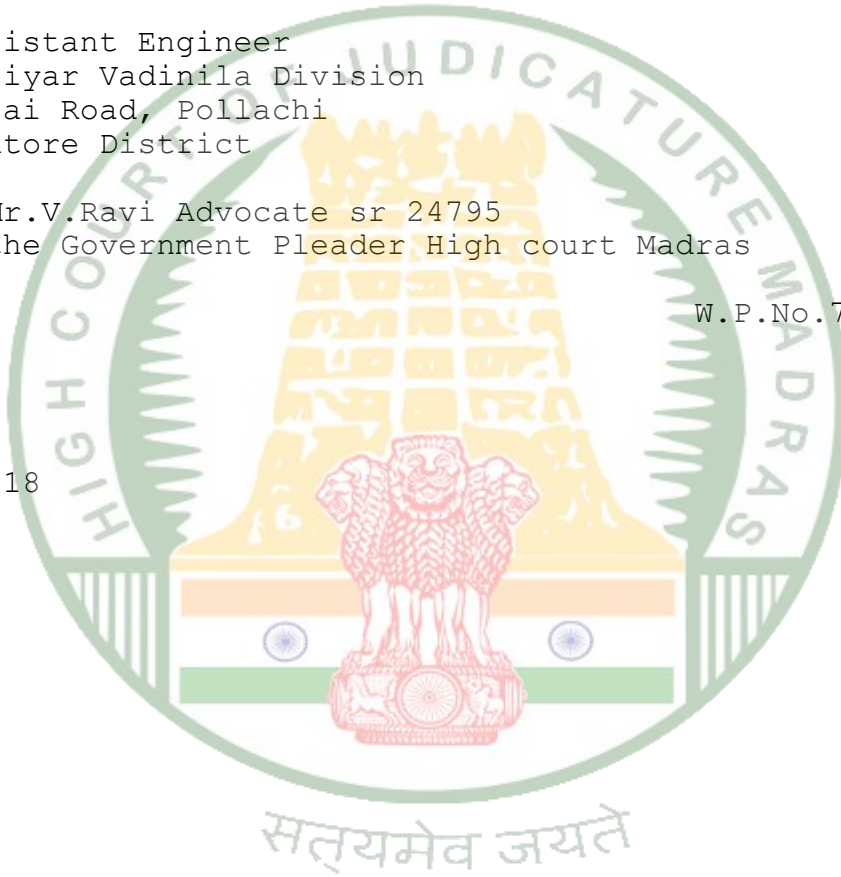
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+1 cc to Mr.V.Ravi Advocate sr 24795

+1 cc to the Government Pleader High court Madras
sr 25655

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