



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.15953 of 2018
and
WMP (MD) No.14252 of 2018

R.Senthil Murugan ... Petitioner

vs.

- 1.The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 2.The Secretary,
Public Works Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 3.The Engineer in Chief,
Water Resources Department,
Chief Engineer (General) P.W.D.,
Chepauk,
Chennai - 600 005.
- 4.The Chief Engineer,
Water Resources Department,
Madurai Region,
Thallakulam,
Madurai - 625 002.
- 5.The District Collector,
Madurai District,
Madurai.
- 6.The Tahsildar,
Madurai West,
Madurai.
- 7.The Executive Engineer, P.W.D.,
Water Resources Department,
Periyar Valgai Basin Division,
Madurai.



8.The District Superintendent of Police,
Madurai District,
Madurai.

9.The Inspector of Police (Law & Order),
Nagamalai Pudukottai Police Station,
Nagamalai Pudukottai,
Madurai District.

10.TTK Construction,
No.3, Kamarajar Street,
Chinna Chokkikulam,
Madurai - 625 002.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 05/07/2018.

For Petitioner : Mr.R.Senthil Murugan
Party-in-person

For R1 to R9 : Mr.A.K.Baskarapandian
Special Government Pleader

For R10 : Mr.R.Suriyanarayanan

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

Today photographs have been produced by the learned Special Government Pleader appearing for the respondents 1 to 9 to show that the tank is filled with some extent of water.

2.The petitioner who appears as party-in-person submits that the entire tank is not filled up and the photographs would only indicate the existence of water in the front portion. On the backside, there are numerous pits created by removal of sand and these parts will have to be filled up immediately. The 10th respondent though not doing any more work, has created a road enabling the lorries to go through and this road will have to be closed.

3.We have perused the affidavit filed by the 7th respondent, wherein it is stated that the tank bund work is stated to be done as per the world bank norms. The tank is ofcourse a huge one. At least now there is some water available. Therefore, it is imperative to renovate and desilt the tank.

4. In such view of the matter, we direct the 7th respondent to ensure that the bunds are raised and strengthened and the other works are done properly as per the norms.



5.The learned counsel appearing for the 10th respondent fairly submitted that the 10th respondent will take appropriate steps to close the road which was created temporarily, provided, the same is still in existence.

6.The said submission stands recorded and the 10th respondent is directed to do the needful to obliterate the road created if any within a period of four weeks from the date of receipt of a copy of this order.

7.The only other question is with respect to the back side of the lake. Considering the submission made by the petitioner, we direct the 5th respondent to permit the local villagers to undertake the exercise of filling the backside with available sand from the available area, so that, it can be levelled under the 100 days scheme. This has to be done by the 5th respondent within a period of eight weeks from the date of receipt of a copy of this order.

8.Since the petitioner has already given a complaint to the 5th respondent, the 5th respondent is directed to take appropriate steps to register a case against the proposed accused and thereafter proceed with investigation.

9.This writ petition is disposed of accordingly. No costs. Consequently, WMP(MD)No.14252 of 2018 is closed.

Sd/
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar (CS-I)

To

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Chennai - 600 009.

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3.The Engineer in Chief,
Water Resources Department,
Chief Engineer (General) P.W.D.,
Chepauk,
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4.The Engineer in Chief,
Water Resources Department,
Madurai Region, Thallakulam,
Madurai - 625 002.



5.The District Collector,
Madurai District, Madurai.

6.The Tahsildar,
Madurai West, Madurai.

7.The Executive Engineer, P.W.D.,
Water Resources Department,
Periyar Vaigai Basin Division,
Madurai.

8.The District Superintendent of Police,
Madurai District, Madurai.

9.The Inspector of Police (Law & Order),
Magamalai Pudukottai Police Station,
Nagamalai Pudukottai,
Madurai District.

+1cc to M/s.Special Government Pleader,SR.No. 84309

W.P. (MD) No.15953 of 2018
12.09.2018

MJ
KK/SKN/SAR-1/09.10.2018/4P-11C