



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.18226 of 2018

Ramkumar Adityan

... Petitioner

-vs-

- 1.The District Collector,
Thoothukudi District,
Korampallam,
Thoothukudi - 628 101.
- 2.The Executive Engineer,
Thamiraparani Irrigation System Division,
Public Works Department,
(Behind SP Office),
Palayamkottai - 627 002.
- 3.The Assistant Executive Engineer,
Thamiraparani Irrigation System Sub Division,
Public Works Department,
Srivaikuntam - 628 601.

4.M.Rajendran

... Respondents

(R4 impleaded vide order of this Court
dated 03.09.2018 made in W.M.P. (MD)
No.16698 of 2018 by MMSJ and NSKJ)

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents to divert surplus water from Maruthur and Srivaikuntam Dam to the dry regions of Sattankulam, Tirchendur Taluk and other Parts of Thoothukudi District where the irrigation tanks are dry within stipulated time.

For Petitioner : Mr.Karthick Subramanian

For Respondents : Mr.K.Chellapandian

1 to 3

Additional Advocate General

Assisted by Mr.N.Shanmuga Selvam

Additional Government Pleader

For 4th Respondent: Mr.N.Dilipkumar

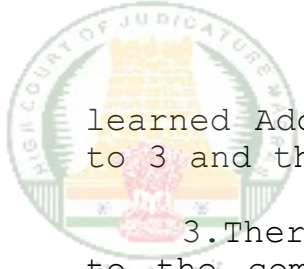
O R D E R

(Order of the Court was made by M.M.SUNDRESH, J.)

This writ petition has been filed seeking a direction to respondents to divert surplus water from Maruthur and Srivaikuntam Dam to the dry regions of Sattankulam, Tirchendur Taluk.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard the learned counsel appearing for the petitioner, the



learned Additional Advocate General appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent.

3. There are two issues involved before us. One is with respect to the common area in which the petitioner is interested and the other is with respect to the common area in which the fourth respondent is interested.

4. On the last occasion, we directed the officer concerned to be present before this Court. Accordingly, he is present.

5. Learned Additional Advocate General produced a map, which is an Index Map of Lower - Thambraparani Irrigation System. The map, followed by the materials produced would show that there are about 68 irrigational tanks in Lower - Thambraparani Irrigation System, of which 56 tanks have been filled up and the remaining 12 tanks are in the process of being filled with. With this submission, the learned counsel for the petitioner is satisfied insofar as the claim made by his client is concerned.

6. Now, the learned counsel for the fourth respondent would submit that water flowing from Marudur Melakkal Channel to Vellur Tank and from there to Thenkarai Tank is not sufficient and on the contrary water is being let in to Kalvoy Sadayaneri channel and Sadayaneri Channel is entitled to only surplus water.

7. The learned Additional Advocate General by way of reply would submit that in the remaining tanks emanating from Vellur Tank and Thenkarai Tank, which are called System Tanks, water will be filled up and thereafter the other surplus system will be taken care of. This submission stands recorded.

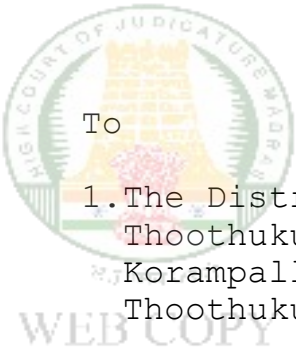
8. This would satisfy the grievance of the learned counsel for the fourth respondent also. Further, from the submissions made on behalf of learned Additional Advocate General and by taking note of the flow of water it appears that all the tanks could be filled up and therefore, there cannot be any more grievance for the parties.

9. In view of the above, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CrI.side)

/True Copy/

Sub Assistant Registrar (CS-IV)



To

1.The District Collector,
Thoothukudi District,
Korampallam,
Thoothukudi - 628 101.

2.The Executive Engineer,
Thamiraparani Irrigation System Division,
Public Works Department,
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Palayamkottai - 627 002.

3.The Assistant Executive Engineer,
Thamiraparani Irrigation System Sub Division,
Public Works Department,
Srivaikuntam - 628 601.

+1CC TO MR.N.DILIPKUMAR ADVOCATE IN SR.NO.81921

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR.NO.82486.

GK/SJ

DS RSK SAR-4:17.09.2018: 3P/6C

W.P. (MD) No.18226 of 2018
03.09.2018