

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.02.2019

CORAM
THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4125 of 2019

Kodakaramulai Small Farmers Irrigation Sangam
Rep. by its President T.Mohan
having office at Seradi Building
Kodakkaramulai Post,
Sirkazhi Taluk
Nagapattinam District. ...Petitioner

Vs.

- 1.The District Collector
Nagapattinam District
Nagapattinam.
- 2.The Chief Engineer
Public Works Department
Cauvery Irrigation Project
Tiruchirappalli.
- 3.The Superintending Engineer
Public Works Department
Cauvery Irrigation Project
Thanjavur.
- 4.The Executive Engineer
Public Works Department
Cauvery Irrigation Project
Mayiladuthurai. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein more particularly the 1st respondent to take immediate action to restore the shutters put up over Uppanar river at Kodakaramulai Village, Sirkazhi Taluk, Nagapattinam District pursuant to the representation of the petitioner dated 22.10.2018.

For Petitioner : Mr.S.Sadasharam

For Respondents: Mr.J.Purushothaman
Government Advocate

O R D E R

Mr.J.Purushothaman, learned Government Advocate takes notice for the respondents. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the first respondent to take immediate action to restore the shutters put up over Uppanar river at Kodakaramulai Village, Sirkazhi Taluk, Nagapattinam District, based on the representation of the petitioner dated 22.10.2018.

3. Heard both sides.

4. The grievance of the petitioner before this Court is that even though he gave a representation on 22.10.2018 to the respondents, requesting them to inspect the shutters and restore the same to prevent the flow of salt water into Uppanar river, no action has been taken by the respondents so far. Thereafter, the petitioner issued a legal notice dated 03.11.2018 to the first respondent to consider the representation dated 22.10.2018. However, the respondents have not considered the representation so far, the petitioner filed this present writ petition with the relief as stated supra.

5. This Court, at this stage, is not expressing any view on the claim made by the petitioner, as it is for the first respondent to consider and decide the same. Thus, this writ petition is disposed of, only with a direction to the first respondent to dispose of the representation dated 22.10.2018 and pass orders on the same on merits and in accordance with law, after hearing all the parties concerned. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector
Nagapattinam District
Nagapattinam.

2.The Chief Engineer
Public Works Department
Cauvery Irrigation Project
Tiruchirappalli.

3.The Superintending Engineer
Public Works Department
Cauvery Irrigation Project
Thanjavur.

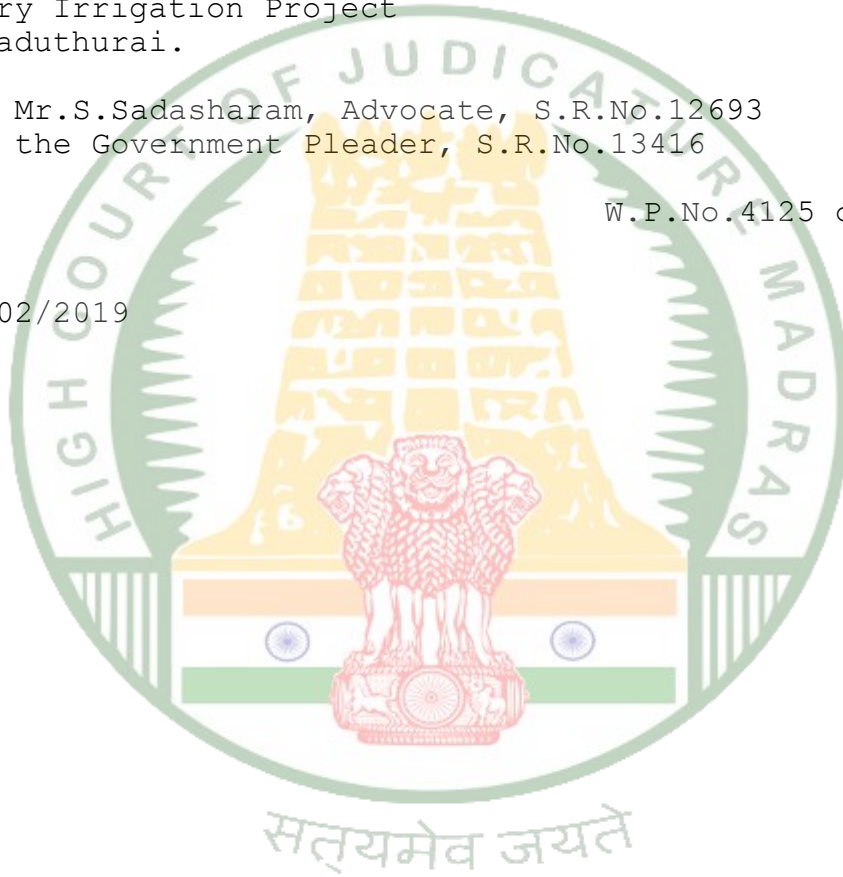
4.The Executive Engineer
Public Works Department
Cauvery Irrigation Project
Mayiladuthurai.

+1cc to Mr.S.Sadasharam, Advocate, S.R.No.12693
+1cc to the Government Pleader, S.R.No.13416

W.P.No.4125 of 2019

RSV(CO)

rrs 20/02/2019



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