



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.11.2019
CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI**

W.P(MD)NO.486 OF 2019

Aslam : Petitioner
.vs.

- 1.The District Collector,
Thanjavur District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Pattukkottai,
Thanjavur District.
- 3.The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.
- 4.The Assistant Engineer,
Public Works Department,
Pattukkottai(Kallanai Kalvai Kottam),
Thanjavur District.
- 5.The Inspector of Police,
Adiramapattinam Police Station,
Adiramapattinam,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 4 to release the water from the Kallanai Dam through CMP Vaykal situated at Athiramapattinam to the five Kanmais situated at Adiramapattinam Village, Thanjavur District on the basis of the assurance given by the respondents on 21.8.2018 in writing, within the time stipulated by this Court.

For Petitioner : Mr.B.Santhanam Rajeshkumar

For Respondents : Mr.A.Muthukaruppan
Addl.Govt.Pleader



O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM. ,J.**]

We have heard Mr.B.Santhanam Rajesh Kumar, learned counsel appearing for the Petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing on behalf of the respondents.

2.The Petitioner has sought for a Writ of Mandamus to direct the respondents 1 to 4 to release the water from the Kallanai Dam through CMP Vaykal situated at Athiramapattinam to the five Kanmais situated at Adiramapattinam Village, Thanjavur District on the basis of the assurance given by the respondents on 21.8.2018 in writing, within the time stipulated by this Court.

3.A counter affidavit has been filed by the respondents stating that there is no intention on the part of the respondents/authorities in not complying with the assurance given by them on 21.8.2018. It appears that the authorities have agreed to release water to five kanmais in Adhiramapattinam village. The counter affidavit has been filed stating that on account of failure of monsoon and due to lack of rain, the water level in the Grand Anaicut was not sufficient to supply water even to the Ayacuttudhars of Public Work Department. In the recent past, State has received good rainfall and there is every possibility of having surplus water. Therefore the prayer as such sought for by the Petitioner cannot be granted.

4.We, therefore, dispose of the Writ Petition, with a direction that if the respondents/authorities find that there is sufficient water, they can comply with the assurance given on 21.8.2018 and take appropriate steps so that the water can reach the five kanmais in Adhiramapattinam village. This will be subject to the availability of water and other formalities to be complied with by the authorities. No costs.

Sd/-

Assistant Registrar (AD-II)

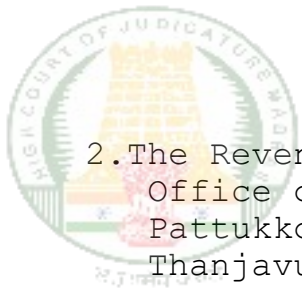
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Sub Assistant Registrar (CS)

vsn
To

1.The District Collector,
Thanjavur District.

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



2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
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Adiramapattinam,
Thanjavur District.

+1 CC to Mr.B.SANTHANAM RAJESH KUMAR, Advocate (SR-97302[F] dated 11/11/2019)

+1 CC to SPL GP (SR-97783[F] dated 12/11/2019)

ORDER MADE IN
W.P (MD) NO.486 OF 2019
11.11.2019

_MK (25.11.2019) 3P 8C