



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 07.08.2019

CORAM

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**THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI**

**W.P. (MD) NO. 17388 OF 2019
AND
W.M.P. (MD) NO. 13904 OF 2019**

M.Balasubramaniyan

.. Petitioner

- Vs -

1. The District Collector
Thanjavur District, Thanjavur.
2. The Executive Engineer
Kallanai Kalvai Division - I
Thanjavur District.
3. The Assistant Executive Engineer
Kallanai Kalvai Division - I
Pattukottai, Thanjavur District.
4. The Assistant Engineer
Kallanai Kalvai Division - I
Peravurani, Thanjavur District.
5. The Tahsildar
Peravurani Taluk, Peravurani
Thanjavur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to form a proper Committee for "Kudi Maramathu" as per the G.O. (Ms) No.58 dated 13.06.2019 to Pinnavasal Village and allot the work in respect of Pinnavasal Big Lake situated at Pinnavasal Village, Peravurani Taluk, Thanjavur District.



For Petitioner : Mr. A.C.Asaithambi
For Respondents : Mr. A.K.Baskarapandian, Spl. G.P.

ORDER

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

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The petitioner, a resident of Pinnavasal, Peravurani, Thanjavur District, came forward to file this writ petition, styled as a public interest litigation, by submitting that as per G.O. (Ms) No.58, Public Works (W2) Department dated 13.6.19, administrative sanction was accorded for 1829 Kudimaramath works in 29 Districts at a cost of Rs.499.688 Crores for the year 2019-2020. Accordingly, Pinnavasal Big Lake at Pinnavasal, Peravurani Village, was also identified as one of the lakes and it is spread over 153 acres and for carrying out Kudimaramath scheme, Rs.40 Lakhs was allotted. The grievance of the petitioner is that for carrying out the works, committee has been formed, which include a person charged with offence of sand theft and that apart, during the year 2015-2016, railway administration was granted permission to take the earth, which has deepened the said tank by 9 to 11 feet and in the light of the same also, further desilting in the case of Kudimaramath scheme cannot be done. The petitioner, in this regard, submitted a representation dated 18.7.19 to the respondent and despite receipt and acknowledgement, his grievance having not been addressed, came forward to file the present petition.

2. Heard the learned counsel appearing for the petitioner and Mr.A.K.Baskarapandian, learned Special Government Pleader, who takes notice for the respondents.

3. Though the petitioner prays for the larger relief, this Court, in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioner, either in the representation or in the writ petition, directs respondents 2 to 4 to consider the representation dated 18.7.19, submitted by the petitioner and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the persons concerned.

4. This writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)



To

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5. The Tahsildar
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Thanjavur District.

+1 CC to M/s.A.C.ASAITHAMBI, Advocate (SR-80376[F] dt.07/08/2019)

+1 CC to M/s.SPL GP (SR-80780[F] dated 08/08/2019)

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