



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2019

CORAM:

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

W.P (MD)No.19307 of 2019

S.Veeriah

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Thasildar,
Kalayarkovil Taluk,
Sivagangai District.

3.The Chief Engineer,
Water Resources Department,
Madurai Zone, Madurai-2.

4.The Executive Engineer,
Water Resource Organization,
Public Works Department,
Sarugani Aru Basin Sub Division,
Master Plan Complex,
Sivagangai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to take necessary actions to deslit the Sundankurichi Tank in S.No.115 and its source channel in S.No.114 in Aalpattaviduthi group in Sivaganga District and to restore the full capacity level of the said tank within a time to be fixed by this Court.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.A.K.Baskara Pandian
Special Government Pleader



ORDER

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

Heard Mr.R.Suriya Narayanan, learned counsel for the petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader for respondents.

2. By consent of both parties, the present writ petition is taken up for final disposal.

3. The petitioner by way of this writ petition styled as Public Interest Litigation, seeks for a direction upon the respondents to desilt the tank the tank called as Sundankurichi Tank in S.No.115 and its source channel in S.No.114 in Aalpattaviduthi group in Sivaganga District and to restore the full capacity of the tank within the time frame to be fixed by this Court.

4. From the records placed before this Court, it is seen that the representation, which was submitted by the petitioner to the Government has been forwarded to the third respondent by letter No.1643/PP1/2019-1 dated 15.02.2019. The learned counsel for the petitioner submitted that no action has been taken by either of the third respondent department or by the fourth respondent department.

5. Considering these facts, we direct the third respondent to take note of the Government Letter dated 15.02.2019, consider the representation and issue appropriate directions to the fourth respondent to ensure that the tank and supply channel are cleared and free from all encroachment. Such directions to be issued by the third respondent within a period of three weeks from the date of receipt of a copy of this order. On receipt of such direction, the fourth respondent is directed to conduct a full-fledged inspection of the area and take steps to desilt the tank and clear all the encroachment in the source / supply channel within a period of twelve weeks from the date of receipt of such directions from the Chief Engineer, Public Works Department. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Sivagangai District.



2.The Thasildar,
Kalayarkovil Taluk,
Sivagangai District.

3.The Chief Engineer,
Water Resources Department,
Madurai Zone, Madurai-2.

4.The Executive Engineer,
Water Resource Organization,
Public Works Department,
Sarugani Aru Basin Sub Division,
Master Plan Complex,
Sivagangai District.

+1 CC to Mr.R. SURIYANARAYANAN, Advocate SR-85444.

+1 CC to SPL GP SR-85560.

W.P (MD) No.19307 of 2019

05.09.2019

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