



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2019

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

W.P. (MD) No.21450 of 2019

Abdullah

... Petitioner

-vs-

- 1.State of Tamil Nadu,
Rep. by its Principal Secretary,
Public Works Department,
St. Fort George,
Chennai - 600 009.
- 2.The District Collector,
Trichy District,
Trichy.
- 3.The District Rural Development Agency,
O/o. District Rural Development Agency,
District Collectorate Campus, Trichy,
Trichy District.
- 4.The Block Development Officer,
Panchayat Union Office,
Manapparai,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to identify the real Farmers Organization or Water Users Association / Ayacutdhars in accordance with the Section 4 of Tamil Nadu Farmers Management of Irrigations Systems Act, 2000 and allot Kudimaramathu works for the purpose of Restoration of Water Bodies in Manapparai Taluk, Trichy District on the basis of the Petitioner's representation dated 26.08.2019 and 30.08.2019.

For Petitioner : Mr.A.Joel Paul Antony

For Respondents : Mr.S.Angappan
Government Advocate



O R D E R

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

Heard Mr.A.Joel Paul Antony, learned counsel appearing for the petitioner and Mr.S.Angappan, learned Government Advocate appearing for the respondents.

2.By consent on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

3.This Public Interest Litigation has been filed by one Abdullah. He states that he is the President of Integrated Manapparai Taluk, Manavari and Iravai Pasanatharkal Farmer Association. The endeavour of the petitioner is to seek for direction upon the respondents to identify the real Farmers Organization or Water Users Association / Ayacutdhars in accordance with Section 4 of Tamil Nadu Farmers Management of Irrigations Systems Act, 2000 and allot Kudimaramathu works for the purpose of Restoration of Water Bodies in Manapparai Taluk, Trichy District.

4.The petitioner alleges that bogus societies have been allotted the Kudimaramathu work. Though such is the stand taken, no specific detail has been given by the petitioner as to which bogus agency the Kudimaramathu work has been allotted. Based on vague allegations, we cannot entertain Public Interest Litigation.

5.The learned Government Advocate submitted that the kudimaramathu work is allotted strictly in accordance with the policy decision taken by the Government as notified in G.O.(Ms) No.96 Rural Development and Panchayat Raj (CGS.1) Department dated 26.07.2019. Further, it is submitted that thorough scrutiny is done before the work is allotted and if no proper society is available for allotting Kudimaramathu work, the Government themselves departmentally execute the work.

6.As pointed out earlier, based on vague allegations we cannot issue a Writ of Mandamus as sought for in the Writ Petition. In view of the same, the Writ Petition is dismissed. It is needless to state that the respondents shall strictly adhere to G.O.(Ms) No.96 Rural Development and Panchayat Raj (CGS.1) Department dated 26.07.2019, while allotting the Kudimaramathu Work for rejuvenation of Minor Irrigation (MI) Tanks, Ponds and Ooranies in Rural areas. Taking care while allotting the Kudimaramathu work alone is not sufficient, but the same should be monitored by them. No costs.

Sd/-

Assistant Registrar(CS-III)

/TRUE COPY/



1.The Principal Secretary,
Public Works Department,
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Manapparai,
Trichy District.

+1 CC to M/s.GP (SR-91888[F] dated 15/10/2019)

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate (SR-92175[F] dated
16/10/2019)

W.P. (MD) No.21450 of 2019
14.10.2019

JM/24.10.2019/3P/7C