

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Eighteenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN
and
The Hon`ble Mr Justice B.PUGALENDHI

WP(MD) No.18056 of 2018

R.VIJAYAKUMAR

... PETITIONER

Vs

- 1 THE SECRETARY
SECRETARIAT, ST.GEORGE FORT,
CHENNAI 9
- 2 THE JOINT CHIEF ENGINEER
O/O. CHIEF ENGINEER,
WATER RESOURCE DEPARTMENT (WRO),
PWD COMPOUND, CHEPAUK, CHENNAI
- 3 THE CHIEF ENGINEER
PUBLID WORKS DEPARTMENT,
WATER RESOURCE DEPARTMENT (WRO),
SUBRAMANIYAPURAM, TRICHY
- 4 THE DISTRICT COLLECTOR
TRICHY DISTRICT, TRICHY
- 5 THE SUPERINTENDING ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCE DEPARTMENT (WRO),
SUBRAMANIYAPURAM, TRICHY
- 6 THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCE DEPARTMENT (WRO),
NEAR DISTRICT COURT,
CANTONMENT, TRICHY
- 7 THE TAHSILDAR
THIRUVANAIVKOVIL, SRIRANGAM TALUK,
TRICHY-5

... RESPONDENTS

Petition praying that in the circumstances stated therein and
in the affidavit filed therewith the High Court will be pleased to
issue a Writ of Certiorarified Mandamus calling for the records

relating to the impugned order issued by the 6th respondent in his proceedings in க.எண்:66ஆ/ கோ58/ வ2/ மனுக்கள்/2018 dated 20.06.2018 and quash the same as illegal and consequently direct the Respondents to construct a check dam across the Uthamarseeli to Vengur Village at Cauvery Tributary and check dam across the Killikudu to Idaiyattrumangalam village in the Kollidam tributary.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.YAMUNA, Advocate for the petitioner and of Mr.J.GUNASEELAN MUTHIAH, Additional Government Pleader on behalf of the Respondents, the court made the following order:-

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

The matter in issue pertains to the construction of check dams in Kollidam river and the same has been rejected vide impugned order dated 20.06.2018, passed by the sixth respondent, on the ground of technical feasibility.

2. The learned Counsel appearing for the petitioner would submit that only in the event of excess water being flown in Cauvery river, it got depleted to Kollidam river and the State Government has also identified and check dams are also in Cauvery river and therefore, requests this Court to issue a proper direction to the official respondents to get necessary instructions in this regard.

3. Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader appearing for the respondents seeks further time to get instructions.

4. This Court, taking into consideration the fact that our State is always water starved State and therefore, preservation of water is very necessary and one of the methods is to identify and construct check dams on the river beds, where there is perennial flow of water, especially in Cauvery river, directs the second respondent to file a status report as to the proposed identification of the places for construction of check dams and the check dams already in places in Cauvery river, right from its entry to the State of Tamil Nadu till it flows into the Bay of Bengal.

Call on 30.07.2019.

sd/-
18/06/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SECRETARY
SECRETARIAT, ST.GEORGE FORT,
CHENNAI 9
- 2 THE JOINT CHIEF ENGINEER
O/O. CHIEF ENGINEER,
WATER RESOURCE DEPARTMENT (WRO) ,
PWD COMPOUND, CHEPAUK, CHENNAI
- 3 THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCE DEPARTMENT (WRO) ,
SUBRAMANIPURAM, TRICHY
- 4 THE DISTRICT COLLECTOR
TRICHY DISTRICT, TRICHY
- 5 THE SUPERINTENDING ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCE DEPARTMENT (WRO) ,
SUBRAMANIPURAM, TRICHY
- 6 THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCE DEPARTMENT (WRO) ,
NEAR DISTRICT COURT,
CANTONMENT, TRICHY
- 7 THE TAHSILDAR
THIRUVANAICKOVIL, SRIRANGAM TALUK,
TRICHY-5

ORDER
IN

WP (MD) No.18056 of 2018
Date :18/06/2019

MS/VR/SAR-4/25.06.2019/3P.8C

WEB COPY