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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.1589 of 2020

V.Bhanumathi

.. Petitioner

..Vs..

1. The Principal Secretary,
Government of India,
Public Works Department,
Secretariat,
Chennai - 600 009.
2. The Chief Engineer,
Water Resources Department,
Coimbatore Region,
Town Hall, Coimbatore - 641 001.
3. The Superintending Engineer,
Parambikulam Aliyar Project (PAP) Basin,

Makkinampatti, Pollachi - 642 003.
4. The District Collector,
Tirupur District,
Tirupur.

..Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and the 4th respondents herein to strictly follow the Parambikulam Aliyar Project (Regulation of Water-Supply) Act, 1993 and its Rules for the release of water for irrigation to the I-zone from the Tirumurthi Reservoir upon issuing an announcement or notification well in advance before the release of water, specifying the crops to be raised, area, period of water supply, on considering the petitioner representations dated 20.12.2019 and 27.11.2019 respectively.

For Petitioner

: Mr.K.Ramesh Kumar



For Respondents

: Mrs.P.Rajalakshmi
Additional Government Pleader

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O R D E R

The writ petitioner is residing at No.2/1195, Ganapathipalayam Post, Udumalpet Taluk, Tirupur District. They are doing cultivation in S.F.No.90/1, Poolankinaru Village, Udumalpet Taluk, Tirupur District. The said land is under the irrigation Zone I of Parambikulam Aliyar Project (PAP). The lands are Punja lands and mostly depending on canal irrigation from Thirumurthi Dam of PAP Project.

It is stated that water for irrigation under PAP is supplied from Thirumurthi and Aliyar Reservoirs. It is also stated that the irrigation projects covers 377.152 acres of land located in three Districts namely Coimbatore, Thiruppur and Erode. It is stated that the supply of water is governed by the Parambikulam Aliyar Project (Regulation of Water-Supply) Rules, 1994. The Public Works Department is responsible for maintenance for irrigation to the registered Ayacut from the above two Reservoirs.

It is stated that the petitioner had given representation on 27.11.2019 and another representation on 20.12.2019. In the representation, the petitioner seeks advice regarding the crops to be raised, the area to be irrigated and the period of water to be supplied in his land. Since, there is no response, the petitioner has come up with the present writ petition seeking a mandamus.

Mrs.P.Rajalakshmi, learned Additional Government Pleader who takes notice on behalf of the respondents had drawn attention of this Court to G.O.(வாணியம்) No.28, Public Works Department, dated 24.01.2020, in which it had been stated that under the Parambikulam Aliyar Project (PAP), total quantity of 7600 cubic water has been directed to be opened from the Reservoirs.

It is stated by the learned counsel for the petitioner lands that the water will reach the petitioner lands on 17.02.2020.

Under these, circumstances, a Mandamus is issued to the 4th respondent namely the District Collector, Thirupur District to pass appropriate orders on the representation on or before 14.02.2020 by mentioning the name of the particular official who will give advice on the nature of the crops which could be



cultivated in the lands of the petitioner. The petitioner may give fresh representation to the office of the District Collector, Thirupur District on or before 12.02.2020.

With the above observation, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary,
Government of India,
Public Works Department,
Secretariat,
Chennai - 600 009.
2. The Chief Engineer,
Water Resources Department,
Coimbatore Region,
Town Hall, Coimbatore - 641 001.
3. The Superintending Engineer,
Parambikulam Aliyar Project (PAP) Basin,
Makkinampatti, Pollachi - 642 003.
4. The District Collector,
Tirupur District,
Tirupur.

+1cc to M/s.P.M.Duraiswamy, Advocate sr.10222

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