

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 25.02.2020
CORAM
THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN
W.P.No.4331 of 2020
and
W.M.P.No.5134 of 2020

T.Kanagaraj

.. Petitioner

..Vs..

- 1.Executive Engineer,
PAP Aliyar Vadinila Division,
Udumalai Raod, Pollachi,
Coimbatore District.
- 2.Assistant Executive Engineer,
PAP Aliyar Vadinila Division,
Udumalai Raod, Pollachi,
Coimbatore District.
- 3.Assistant Engineer,
PAP Aliyar Vadinila Division,
Udumalai Raod, Pollachi,
Coimbatore District.
- 4.The Tahsildar,
Anamalai Taluk,
Coimbatore District.
- 5.A.Aruna Devi
- 6.S.Malliga
- 7.T.Sabapathy

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to consider the petitioner's representation dated 23.01.2020 for taking appropriate actions to ensure the free supply of water to the petitioner's Agricultural Land measuring to an extent of 0.78.5 Hectares in S.No.305/4A of Kambalapatti Village, Anamalai Taluk, Coimbatore District through the Madagu No.16(R) from the Sub Water Channel irrigation Division 10.2000, No.5, Parambikulam Aliyar Project without any interference by the respondents 5 to 7.

For Petitioner : Mr.V.Ravi
For Respondents : Mrs.P.Rajalakshmi for R1 to R4
Additional Government Pleader

O R D E R

Mrs.P.Rajalakshmi, learned Additional Government Pleader takes notice for respondents 1 to 4. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 23.01.2020 for taking appropriate actions to ensure the free supply of water to the petitioner's

Agricultural Land measuring to an extent of 0.78.5 Hectares in S.No.305/4A of Kambalapatti Village, Anamalai Taluk, Coimbatore District through the Madagu No.16(R) from the Sub Water Channel irrigation Division 10.2000, No.5, Parambikulam Aliyar Project without any interference by the respondents 5 to 7.

3.In the affidavit filed in support of the writ petition, it had been stated that the petitioner is the owner of 0.78.5 Hectares of agricultural land in Survey No.304/A of Kambalpatti Village, Anaimalai Taluk, Coimbatore District. It is stated that the lands are irrigated under the Parambikulam Aliyar Project Water Scheme and distribution of the water is managed by the respondents namely Executive Engineer, Assistant Executive Engineer, of PAP Aliyar Vadinila Division, Udumalai Road, Pollachi, Coimbatore District. It is stated that the respondents 4 to 6, who are the adjacent land owners have damaged the Aranivaikal, Tank, digged for 5 feet in the land and thereafter, supply of water has been stopped. Under these circumstances, the petitioner gave a representation dated 23.01.2020 for taking Agricultural land. Till date, his representation has not been considered

and appropriate action has not been taken to ensure free supply of water to the petitioner's by the respondents 1 to 4 lands. Therefore, the present Writ petition has been filed.

4.The learned counsel for the petitioner submitted that on earlier occasion, a similar writ petition has been filed in W.P.No.7684 of 2018 and a similar mandamus was issued on 04.04.2018.

5.Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of this case, a Mandamus is issued to the respondents 1 to 4 to consider the representation dated 23.01.2020 submitted by the petitioner. The respondents 1 to 4 are directed to issue notice to the petitioner and the respondents 5 to 7 and thereafter, pass order within a period of two weeks from the date of receipt of copy of this order on merits and in accordance with the law.

7. With the above directions the Writ Petition is disposed of. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

tta

To

1. Executive Engineer,
PAP Aliyar Vadinila Division,
Udumalai Raod, Pollachi,
Coimbatore District.

2. Assistant Executive Engineer,
PAP Aliyar Vadinila Division,
Udumalai Raod, Pollachi,
Coimbatore District.

3. Assistant Engineer,
PAP Aliyar Vadinila Division,
Udumalai Raod, Pollachi,
Coimbatore District.

4. The Tahsildar, Anamalai Taluk,
Coimbatore District.

+1cc to Mr.V.Ravi, Advocate, SR.No.16505.
+1cc to Government Pleader, SR.No.16722.

W.P.No.4331 of 2020

PP(CO)
CSR: 19.03.2020