

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6041 of 2020
and
W.M.P.No.7090 of 2020

1. R.Soundaraj
S/o.Ramasamy
 2. A.Rakkiappan
S/o.Arumugam
 3. N.Subramanian
S/o.Nachimuthu
 4. K.Venugopal
S/o.Krishnasamy
 5. K.Laksmi @ Lakshmiammal
W/o.Late Krishnasamy
 6. S.Palaniyammal
W/o.Subramanian
 7. K.Arumugam @ Arumuga Nadar
S/o.Karupusamy
-Petitioners

Vs.

- 1.The District Collector
Tiruppur
Tiruppur District.
- 2.The Revenue Divisional Officer
Udumalpet
Tiruppur District.
- 3.The Chief Engineer
Water Resources Organization
Public Works Department
Parambikulam Aliyar Project
Coimbatore.

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- 4.The Superintendent Engineer
Water Resources Organization
Parambikulam Aliyar Project
Pollachi.
- 5.The Executive Engineer
Water Resources Organization
Parambikulam Aliyar Project
Thirummorthi Dam
Udumalpet, Tiruppur District.
- 6.The Assistant Executive Engineer
Water Resources Organization
Parambikulam Aliyar Project
Thirummorthi Dam
Udumalpet, Tiruppur District.
- 7.The Assistant Engineer
Water Resources Organization
Parambikulam Aliyar Project
Poolankinar Branch Canal
Udumalpet, Tiruppur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 4 to 7 from reducing or changing the vent size of sluice or madai, tank bearing Number: SL 5L, 0.5.230, 22.10 Acrs of Poolankinar Branch Canal situated at Vadugapalayam Village, Udumalpet Taluk, Tiruppur District by considering the petitioners' representation dated 14.02.2020.

For Petitioners : Mr.K.Mylsamy
For Respondents : Mr.R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioners seek for a mandamus forbearing the respondents 4 to 7 from reducing or changing the vent size of sluice or madai, tank bearing Number: SL 5L, 0.5.230, 22.10 Acrs of Poolankinar Branch Canal situated at Vadugapalayam Village, Udumalpet Taluk, Tiruppur District by considering the petitioners' representation dated 14.02.2020.

3. All these petitioners claiming to be the owners of the agricultural land irrigated from "Pookankinar Branch Canal" under "Parambikulam Aliyar Project" scheme. It is their contention that the "Parambikulam Aliyar Project" sluice is fixed already with 6 inch vent and however, the official respondents are trying to reduce it to 4 inch under the guise of maintenance. Therefore, the petitioners are aggrieved against the said attempt. Ventilating such grievance, the petitioners made the representations on 21.02.2020 and 26.02.2020. Since those representations have not been considered by the respondents, the present writ petition is filed before this Court.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the respondents 5 to 7 to consider and pass orders on the same on merits and in accordance with law. Thus, this Writ Petition is disposed of, only by directing the respondents 5 to 7, more particularly, 5th respondent to consider the representations of the petitioners and pass orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

1.The District Collector
Tiruppur, Tiruppur District.

2.The Revenue Divisional Officer
Udumalpet, Tiruppur District.

3.The Chief Engineer
Water Resources Organization
Public Works Department
Parambikulam Aliyar Project
Coimbatore.

- 4.The Superintendent Engineer
Water Resources Organization
Parambikulam Aliyar Project
Pollachi.
- 5.The Executive Engineer
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Parambikulam Aliyar Project
Thirummorthi Dam
Udumalpet, Tiruppur District.
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Udumalpet, Tiruppur District.
- 7.The Assistant Engineer
Water Resources Organization
Parambikulam Aliyar Project
Poolankinar Branch Canal
Udumalpet, Tiruppur District.

+lcc to Mr.K.Myilsamy, Advocate, SR.No.21060.
+lcc to Government Pleader, SR.No.21688.

VBA(CO)
CSR: 11.03.2020

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