



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2020

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

WEB COPY

W.P. (MD)No.11520 of 2020

S.Udaiyappa Pillai

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai .

2.The Executive Engineer,
Public Works Department,
Water Resources Organization,
Periyaru Vaigai Basin Division,
Madurai -2.

3.The Executive Engineer,
Public Works Department,
Water Resources Organization,
Periyaru Main Canal Division,
Melur, Madurai District.

4.The Tahsildar,
Melur Taluk,
Melur, Madurai District.

5.The Block Development Officer,
Kottampatti Block Development Office,
Kottampatti,
Madurai District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to renovate the sluice, which has been located in the eastern side of the Ponnachikulam, Boodhamangalam Village, Melur Taluk, Madurai District, as per the representation, given by the petitioner, dated 12.08.2020, within a time frame, as fixed by this Court.

For Petitioner	:	Mr.P.Santhana Krishnan
For Respondents	:	Mr.B.Bagavathi
		Government Advocate for R.1 to R.4
	:	Mr.Pradeep for R.5



ORDER

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

The petitioner is an agriculturist having land admeasuring to an extent of 0.51.00 Ares in Survey No.49/1A, 0.20.00 Ares in Survey No.50/1 and 0.58.00 Ares in Survey No.50/3A situated at Boodhamangalam Village, Melur Taluk and Madurai District and a patta bearing No.2278 also stands in his name.

2. It is the specific case of the petitioner that one primary water source for agricultural operation and other purposes, is in the form of a water body at Ponnachikulam and on account of the laying of new metal road, a sluice which has been located eastern side of Ponnachikulam, has been blocked and a representation dated 12.08.2020 submitted in this regard to the official respondents. However the official respondents failed to take any kind of action and therefore, the petitioner is constrained to approach this Court by filing this Writ Petition.

3. The learned Counsel appearing for the petitioner has also drawn the attention of this Court to the photograph which is available at Page No.10 and in the light of the averments made in the writ petition, prays for appropriate orders.

4. Mr.B.Bagavathi, learned Government Advocate accepts notice on behalf of the respondents 1 to 4.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim as projected by the petitioner either in his representation or in this writ petition, directs the respondents 3 to 5 to cause joint inspection of the place said to have been blocked as per the representation of the petitioner and depending upon the result of the same, shall take immediate, necessary and appropriate action and the said exercise shall be completed within a period of ten weeks from the date of receipt of a copy of this order and also to be communicated to the petitioner as well as to the concerned persons if any.

6. The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



SSL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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Melur, Madurai District.
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Kottampatti,
Madurai District.

+1 CC to M/s.SPLGP (SR-16939[F] dated 15/09/2020)

W.P. (MD) No.11520 of 2020
14.09.20200

AC (CO)
KB(29.09.2020) 3P 7C