



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.07.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.18002 of 2019

and

W.M.P. (MD) No.14459 of 2019

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Valayankulam Kanmai Neer Pasana
Vivasaikal Nalasangam,
Reg.No.113/2019,
1/95, North Street, Arasapatty Post,
Kallikudi Taluk,
Madurai District,
represented by its President.

...Petitioner

Vs

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Chief Engineer,
Public Works Department,
Beach Road, Chennai.
- 3.The Superintending Engineer,
(Vaibar Circle Viruthunagar),
Public Works Department,
Collectrate Complex,
Viruthunagar.
- 4.The Executive Engineer,
Public Works Department /
Water Resource Organization,
Ex-Zamin Tanks,
Kundaru Division,
Chokikulam, Madurai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 3 and 4 to consider the representation of the petitioner dated 07.08.2019 and to permit the petitioner to carry out the Kudimaramarath Scheme in Valayankulam Kanmai, Kallikudi Taluk, Madurai District, based on the guidelines issued in the Government orders in G.O.Ms.No.12 dated 21.01.2017.

For Petitioner
For Respondents

: Mr.V.S.Kumaraguru
: Mr.C.M.Marichelliah Prabhu
Additional Government Pleader



ORDER

This Writ Petition is filed to direct the respondents 3 and 4 to consider the petitioner's representation dated 07.08.2019 and to permit the petitioner to carry out the Kudimaramarath Scheme in Valayankulam Kanmai, Kallikudi Taluk, Madurai District.

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2.The learned counsel appearing for the petitioner would submit that the State Government had issued a Government Order in G.O.Ms.No.12, dated 21.01.2017 for implementing the Kudimaramarath Scheme in the village level.

3.In view of the above Government Order, since the petitioners's association is one of the water uses associations, they have approached the respondents 3 and 4 by way of submitting a representation dated 07.08.2019, requesting them to carry out Kudimaramarath work for the year 2019-2020 for the purpose of innovating the tank in Valayankulam Kanmai, Kallikudi Taluk, Madurai District. But, on such representation, no action has been taken till date. Hence, the petitioner is before this Court for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents would submit that with the consent of the village people and pattadhars and by strictly following the guidelines issued by the Government, the aforesaid work will be allotted to the Registered Association and therefore, there is no deviations in allotting the aforesaid work to any association.

5.In agreement with the submission made by the learned Additional Government Pleader, this Court directs the respondents to proceed with the aforesaid Kudimaramarath Scheme for the purpose of innovating the tank in Valayankulam Kanmai, Kallikudi Taluk, Madurai District, by following the guidelines issued by the Government.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

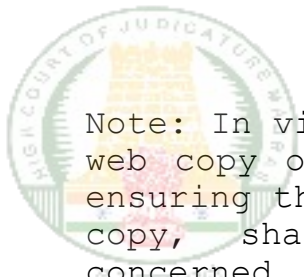
Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

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To

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W.P. (MD) No.18002 of 2019
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KB(27.07.2020) 3P 5C