



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.21863 of 2019

Kallipalayam Grama Neerina
Payanpaduthum Paasana
Vivasayigal Nala Sangam
Regd. No.236/2018
represented by its President,
N. Jaganathan, M/68
No.124, Nehru Colony,
Mahalingapuram, Pollachi 642 002,
Coimbatore District.

... Petitioner

versus

1. The Executive Engineer,
Aliyar Basin,
Parambikulam Aliyar Project
Scheme, Parambikulam Aliyar
Project Office,
Udumalai Road, Pollachi 642 003,
Coimbatore District.
2. M. Moorthy
3. Sabapathy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 24.06.2019 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.G. Krishnaraja,
Govt. Advocate for R1
For R2 and R3-no appearance



O R D E R

The present writ petition has been filed praying for issuance of writ of Mandamus to direct the first respondent to consider its written representation dated 24.06.2019 and dispose of the same within a time stipulated by this Court.

2. The petitioner, who is the President of the petitioner Sangam, gave a representation on 24.6.2019 before the 1st respondent raising allegations against the 2nd and 3rd respondents in respect of drawing water illegally by laying pipeline across the PAP canal and selling water to other agriculturists, without getting any permission from the 1st respondent and also requested him to remove the said pipeline and electrical cable wires drawn across the PAP canal, but till today, no order has been passed

3. Heard both sides.

4. The learned counsel for the petitioner submitted that the petitioner's representation dated 24.06.2019 is kept pending till date without any action on the part of the 1st respondent.

5. On the other hand, learned Govt. Advocate appearing for the first respondent fairly submitted that the respondent authorities would consider the petitioner's representation after giving opportunity to all the parties concerned and pass orders on merits, within a reasonable time to be fixed by this Court.

6. Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court directs the first respondent to consider the representation of the petitioner dated 24.06.2019, after issuing notice to all the parties including the respondents 2 and 3 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

msr



To

The Executive Engineer,
Aliyar Basin,
Parambikulam Aliyar Project
Scheme, Parambikulam Aliyar
Project Office,
Udumalai Road, Pollachi 642 003,
Coimbatore District.

+1cc to Mr.V.Raghavachari, Advocate Sr No.42143

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LN (CO)
PR (06/10/2021)