



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.8204 of 2021

V.Rajan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Executive Engineer,
Periyar-Vaigai Basin Circle,
Public Works Department,
Tallakulam, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take appropriate action to ensure the water flow to the Silayaneri Oorani situated at S.No.40 of Silayaneri Revenue Village, Ward No.3 of Madurai Corporation, Madurai from the Silayaneri Kanmoi and also to take steps to safeguard the 100 saplings planted on the bund of the Silayaneri Oorani based on his representation dated 17.02.2021 and 08.03.2021.

For Petitioner : Mr.S.Sukumar
For Respondents : Mr.K.P.Krishnadass
Special Government Pleader

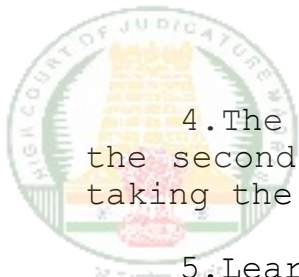
O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.S.Sukumar, learned Counsel appearing for the petitioner and Mr.K.P.Krishnadass, learned Special Government Pleader appearing for the respondents.

3.The petitioner by way of this writ petition styled as a Public Interest Litigation seeks for a direction upon the respondents to ensure water flow to the Silayaneri Oorani and also take steps to safeguard the saplings planted on the bund of the Silayaneri Oorani, by considering his representation.



4.The learned Special Government Pleader, on instructions from the second respondent submitted that there is no proper channel for taking the water from the Kanmoi to the Oorani.

5.Learned Counsel for the petitioner submitted that there is a channel but portions of which might have been obliterated.

6.In any event, if there is excess water available in the Kanmoi, the Public Works Department may consider as to how best the excess water can be used if there is an existing channel and portion of which is obliterated, steps shall be taken to rectify the same, so that the excess water in the Kanmoi is not wasted and taken and stored in the Oorani. In the light of the above, the respondents are directed to consider the representations of the petitioner as expeditiously as possible.

7.With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

1.The District Collector,
Madurai District,
Madurai.

2.The Executive Engineer,
Periyar-Vaigai Basin Circle,
Public Works Department,
Tallakulam, Madurai.

+1 CC to M/s.S.SUKUMAR, Advocate (SR-17051[F] dated 22/04/2021)

+1 CC to M/s.SPL GP (SR-17134[F] dated 22/04/2021)

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