



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No.13842 of 2020

and

W.M.P. (MD) No.11486 of 2020

M.Ramesh

: Petitioner

Vs.

1.The District Collector,
Trichy District.

2.The Executive Engineer,
TANJEDCO,
Musiri,
Trichy District.

3.The Sub Collector,
Musiri,
Trichy District.

4.The Tahsildar,
Musiri Taluk,
Trichy District.

5.Manickavasagam

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 to 4 to prevent the fifth respondent from illegal use of electricity and Kattuputhur Canal Water selling by laying giant pipelines and consequently, directing the respondents 1 to 4 to take appropriate action against the fifth respondent based on the representation dated 02.06.2020.

For Petitioner : Mr.K.Govindarajan

For Respondents : Mrs.J.Padmavathi Devi,
Spical Government Pleader
for R.1 to R.4
Mr.M.Karthikeya Venkatachalapathy
for R.5



ORDER

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

The petitioner has submitted a representation dated 02.06.2020 to the official respondents to take action against the illegal and unauthorized usage and extraction of water by the fifth respondent and others. As the said representation has not been looked into, despite convening of the peace committee, the present writ petition is filed.

2. The learned Counsel appearing for the petitioner submitted that as per the scheme, the fifth respondent and others can take water. However, they cannot take water from Kattuputhur Irrigation Channel, without permission. The permission obtained is only for taking water from the river.

3. The learned Counsel appearing for the fifth respondent submitted that what is being done is only by way of adequate permission and the said activity continues for the past four decades.

4. We have heard the learned Counsel appearing for the petitioner and the fifth respondent, including the learned Special Government Pleader appearing for the official respondents.

5. We do not want to express anything on merits. We only direct the respondents 3 & 4 to consider the representation of the petitioner dated 02.06.2020 and take action against the unauthorized and illegal taking of water, which would mean that utilizing the same without permission. The needful, in this regard, will have to be done within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1.The District Collector,
Trichy District.

2.The Executive Engineer,
TANJEDCO,
Musiri,
Trichy District.

3.The Sub Collector,
Musiri,
Trichy District.

4.The Tahsildar,
Musiri Taluk,
Trichy District.

+1 CC to Mr.K.GOVINDARAJAN, Advocate (SR-3174[F] dated 04/02/2021)

+1 CC to SPL GP (SR-3353[F] dated 04/02/2021)

W.P. (MD) No.13842 of 2020
03.02.2021

VB (12.02.2021) 3P 7C