



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.19604 of 2020
and W.M.P. (MD) Nos.16325 & 16327 /2020**

S.Chinnaiah : Petitioner
Vs.

1.The Public Works (W1) Department
Rep. by its Principal Secretary
Fort St. George, Chennai.

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Water Resource Department
Rep. by its Chief Engineer,
Chepauk, Chennai.

4.The Superintending Engineer,
Public Works Department
Lower Vaigai Basin Division,
Sivagangai District.

5.The Executive Engineer,
Public Works Department
Manimuthar Basin Division,
Devakottai Post,
Sivagangai.

6.Koodani Kanmoi, Pudhu Kanmoi, Periya Kanmoi
Water Users Association,
Rep. by its President
Ponangudi (PO)
Kandramanickam
Thiruppathur Taluk
Sivagangai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondent No.1 to 5 to conduct the enquiry with regard to the allotment of the Kudimaramathu works and consequently direct the respondents No.1 to 5 to allot the kudimaramathu works pertaining to Koodani Kanmoi, Pudhu Kanmoi and Periya Kanmoi to Farmers



Organization constituted under the Tamilnadu Farmers Management of Irrigation Systems Act, 2000 within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

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

The present writ petition has been filed by the petitioner *inter alia* contending that the proposed construction work pertaining to Kudimaramathu work with respect to Koodani Kanmoi, Pudhu Kanmoi and Periya Kanmoi shall only be allotted to the Farmers Organization constituted under the Tamilnadu Farmers Management of Irrigation Systems Act, 2000 in tune with the order passed by the Division Bench of this Court in W.P.(MD) No.15653/2020 dated 23.12.2020.

2.The learned Additional Government Pleader, on instructions, submitted that the estimation itself has not been received from the Government. Therefore, the stage is very premature and the question of allotment of work would come only after the estimation is received.

3.Considering the aforesaid submission, the writ petition stands disposed of with a direction to the respondents to consider the grievance of the petitioner, in tune with the orders passed by this Court in W.P.(MD) No.15653/2020 dated 23.12.2020, after the estimation is received from the Government for the purpose of Kudimaramathu work pertaining to Koodani Kanmoi, Pudhu Kanmoi and Periya Kanmoi. We also give liberty to the petitioner to approach this Court, if the grievance, as made out, is not considered in accordance with law. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

To

1.The Public Works (W1) Department
Rep. by its Principal Secretary
Fort St. George, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Water Resource Department
Rep. by its Chief Engineer,
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Devakottai Post, Sivagangai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-40[F] dated 05/01/2021)

+1 CC to M/s.GP (SR-58[F] dated 05/01/2021)

Order made in
W.P. (MD) No.19604 of 2020
Dated: 04.01.2021

MK(CO)
KK(19.01.2021) 3P 8C