



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD) Nos.19471 and 19472 of 2021

WEB COPY

1. N.Rajamani
2. R.Sivakumar
3. K.Maniraj
4. K.Anbuselvi
5. R.Palanivel
6. K.Mani
7. N.Gurulakshmi
8. R.Subramani
9. N.Palanisamy
10. N.Chellamuthu
11. R.Poornam
12. R.Raviselvan
13. T.Nallasivam
14. K.Karunanithi
15. S.Nallasivam
16. M.Kandasamy
17. R.Rajasekar
18. K.Valarmathi

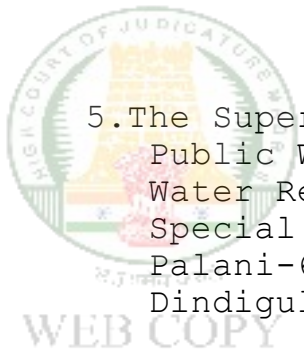
... Petitioners in W.P(MD).No.19471 of 2021

1. R.Tamilarasi

... Petitioner in W.P(MD).No.19472 of 2021

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Public Works Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Karur District, Karur-639007.
- 3.The Chief Engineer,
Water Resources Organisation and
Chief Engineer (General)
Public Works Department,
Chepauk, Chennai-600 005.
- 4.The Chief Engineer,
Public Works Department,
Water Resources Organisation,
Pollachi Region,
Town Hall, Coimbatore-641 001.



- 5.The Superintending Engineer,
Public Works Department,
Water Resources Organisation,
Special Project Circle,
Palani-624601.
Dindigul District.
- 6.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Amaravathi Basin Division,
Dharapuram-641 601,
Tiruppur District.
- 7.The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Amaravathi Basin Division-4,
Public Works Department Office,
Karur-639001.
- 8.The Assistant Engineer,
Public Works Department,
Water Resources Organisation,
Amaravathi Basin Section-2,
Karur Road, Chinnadarapuram-639002.
- 9.The Tahsildar,
Aravakurichi Taluk,
Karur District-639201.

... Respondents
(in both writ petitions)

Prayer in WP(MD)No.19471 of 2021:

Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to permit the petitioners to draw water from Survey No.1230C, Kodanthur South Village, Aravakurichi Taluk, Karur District by considering the petitioners final representation dated 27.09.2021.

Prayer in WP(MD) . 19472/ 2021:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS directing the respondents to permit the petitioners to draw water from Survey No.1230C, Kodanthur South Village, Aravakurichi Taluk, Karur District as per the proceeding of the then District Collector, Tiruchirapalli in R.Dis.No.57823/1967dated 30.09.1967 by considering the petitioners final representation dated 16.09.2021 and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus



render justice.

For Petitioner : Mr.T.Mohan for
in Both WP's Mr.M.P.Senthil
For Respondents : Mr.K.S.Selva Ganesan,
in Both WP's Counsel for the State.

O R D E R

In both these writ petitions, the respective petitioners/petitioner seek consideration of a representation to permit the respective petitioner to draw water from the specific well along the banks of the Amaravathi river.

2.The respective petitioners state that they are engaged in agricultural activities for which they are entirely dependent on water from the Amaravathi river. The petitioner in W.P(MD).No.19472 of 2021 relies upon proceedings dated 30.09.1967 by which the District Collector granted permission to draw water from the Amaravathi river. The respective petitioners state that pursuant to an order dated 11.12.2020 in W.P(MD).No.18204 of 2020, the petitioners are not being permitted to draw water from the Amaravathi river. Therefore, the respective petitioners submitted representations: the petitioner in W.P(MD).No.19471 of 2021 submitted a representation on 27.09.2021 and the petitioner in W.P(MD).No.19472 of 2021 submitted a representation dated 16.09.2021. It is stated that unless a decision is taken quickly, the agricultural activities of the petitioners would be adversely impacted.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents in both the writ petitions. He states that the District Collector may be directed to consider and dispose of the respective representations on merits.

4.In view of the above submissions, without entering any findings on the merits, W.P(MD).Nos.19471 and 19472 of 2021 are disposed of by directing the District Collector to consider and dispose of the representations dated 27.09.2021 and 16.09.2021, respectively, within a period of thirty (30) days from the date of receipt of a copy of this order by issuing a reasoned communication to the respective petitioners. There will be no order as to costs.

Sd/-

Assistant Registrar (CS I)

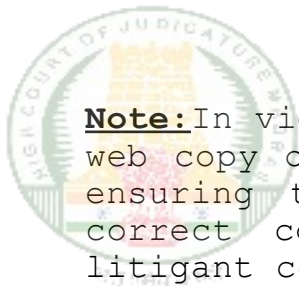
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/ /2021

Sub Assistant Registrar(CS)

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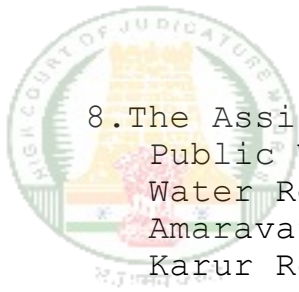


Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

WEB COPY

To

- 1.The Secretary,
State of Tamil Nadu,
Public Works Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Karur District, Karur-639007.
- 3.The Chief Engineer,
Water Resources Organisation and Chief Engineer (General)
Public Works Department,
Chepauk, Chennai-600 005.
- 4.The Chief Engineer,
Public Works Department,
Water Resources Organisation,
Pollachi Region,
Town Hall, Coimbatore-641 001.
- 5.The Superintending Engineer,
Public Works Department,
Water Resources Organisation,
Special Project Circle,
Palani-624601.
Dindigul District.
- 6.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Amaravathi Basin Division,
Dharapuram-641 601, Tiruppur District.
- 7.The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Amaravathi Basin Division-4,
Public Works Department Office,
Karur-639001.



8.The Assistant Engineer,
Public Works Department,
Water Resources Organisation,
Amaravathi Basin Section-2,
Karur Road, Chinnadarapuram-639002.

9.The Tahsildar,
Aravakurichi Taluk,
Karur District-639201.

+2 CC to M/s.M.P.SENTHIL, Advocate (SR-33592 & SR-33593 dated 02/11/2021)

+1 CC to M/s.SPL.GP (SR-33671[F] dated 08/11/2021)

W.P(MD)Nos.19471 and 19472 of 2021
01.11.2021

PK(CO)
RS/JGB (17.11.2021) 5P 13C