

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Eighteenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN
and
The Hon`ble Mr Justice B.PUGALENDHI

WP (MD) No.25033 of 2018

R.ANBALAGAN

... PETITIONER

Vs

1 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.

2 THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
(WATER RESOURCES DEPT),
PERIYAR VAIGAI BASIN DIVISION,
MADURAI-625 002.

3 THE TAHSILDAR,
VADIPATTI TALUK, VADIPATTI,
MADURAI DISTRICT.

4 V.K.THANGAM

5 PERUMAL

6 MANIKANDAN

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus directing the respondents 1 to 3 to remove the unauthorized / illegal 3 check dams constructed in the Ootukalvai water channel which is a feeding channel of Paralikanmai situated at Parali Village, Kallanai Panchayat, Vadipatti Taluk, Madurai District and further directing the respondents 1 to 3 to restore the original width of Ootukalvai and to ensure the Ootukalvai is free from encroachments and free flow of water.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.B.SARAVANAN, Advocate for the petitioner and of Mr.J.GUNASEELAN MUTHIAH, Additional Government Pleader for R1 to R3 and Mr.K.SAFAR BADHUSA, Advocate for R5 and Mr.BABU RAJENDRAN, Advocate for R6, the court made the following order:-

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

The matter in issue pertains to the alleged unauthorised construction of check dam across the water body by the respondents 4 and 5.

2. Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that in compliance of the order dated 09.01.2019, a survey has been done and seeks short accommodation to file status report.

3. Call on 09.07.2019 finally, failing which, the Tahsildar, Vadipatti Taluk, Madurai District, shall personally remain present before this Court for rendering assistance to this Court.

sd/-
18/06/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.
- 2 THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
(WATER RESOURCES DEPT),
PERIYAR VAIGAI BASIN DIVISION,
MADURAI-625 002.
- 3 THE TAHSILDAR,
VADIPATTI TALUK, VADIPATTI,
MADURAI DISTRICT.

ORDER
IN

WP(MD) No.25033 of 2018
Date :18/06/2019

MS/VR/SAR-4/25.06.2019/2P.4C