



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD) No.23838 of 2018

WEB COPY

M.Prabhu

... Petitioner

Vs.

1.The Chief Secretary,
Secretariat,
Chennai.

2.The Secretary,
Public Works Department,
Secretariat,
Chennai.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 19.09.2018 seeking to Talukas to get the Vaigai River water may joined as a new Ayakkattutharar to entitle use of Vaigai River water with time frame that may be fixed by the Honourable Court.

For Petitioner :Mr.M.Muniasamy,

For Respondents :Mr.P.Subbaraj,
Government Advocate

ORDER

(Order of the Court was made by

PUSHPA SATHYANARAYANA, J.)

The writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 19.09.2018.

2. In the said representation, the petitioner has stated that Vaigai river is feeding five Districts including Ramanathapuram District. In Ramanathapuram District, Muthukulathur, Kamuthi, Kadaladi Taluks are located. But, the grievance is that Vaigai river is not released to the farmers in the above said three Taluks. Request of the petitioner is to add the above mentioned three Taluks namely Muthukulathur, Kamuthi, Kadaladi, as Ayacutdhars of Vaigai River.



3. When the matter came up for hearing today, the learned Government Advocate appearing for the respondents, has produced a document indicating the water level as on 07.12.2021 at 6.00 a.m. In the said table, it is shown that in Virahanur and Parthibanur, supply of water has been made. It is also stated that only through Parthibanur, water to be supplied to the above mentioned three Taluks. In fact, the prayer of the petitioner is that when there is surplus water, those three Taluks should be supplied with water. As the representation of the petitioner to the Secretary, Public Works Department, has been pending from the year 2018 and the problem relates to irrigation based on the supply of water from Vaigai, it would be appropriate to direct the second respondent to consider the representation of the petitioner after giving him an opportunity of hearing and include the three Taluks as per the request made by the petitioner as Ayacutdhars. The decision may be taken as there is surplus and copious water this year due to excess rain.

4. In the light of the above facts, the second respondent is directed to consider the representation of the petitioner dated 19.09.2018. If the same is not available, the petitioner is directed to make one more representation within a period of two weeks. After which, within a period of four weeks such representation shall be considered on merits after giving an opportunity of hearing to the petitioner.

With the above direction, the writ petition is disposed of.
No Costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

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 Chief Secretary,
Secretariat,
Chennai.

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



2.The Secretary,
Public Works Department,
Secretariat,
Chennai.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-37749[F] dated 08/12/2021)

W.P (MD) No.23838 of 2018

07.12.2021

TP (CO)

GC (29.12.2021) 3P 5C