



W.P.No.33855 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.33855 of 2022

A.Ramachandiran

.. Petitioner

VS

1.The Executive Engineer,
Department of Water Resources,
Kilpenniyaru Basin Division,
Villupuram.

2.The Assistant Executive Engineer,
Department of Water Resources,
Kilpenniyaru Basin Sub-Division,
Sankarapuram.

3.The Assistant Engineer,
Department of Water Resources (Addl. Incharge),
Kilpenniyaru Basin Division-1 office,
Devapandalam Perumal Koil Opp,
Sankarapuram,
Kallakurichi District.

.. Respondents



W.P.No.33855 of 2022

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider and dispose of the petitioner's representation dated 6.12.2022 within time frame fixed by this Court.

For the Petitioner : Mr.A.Thiyagarajan
Senior Counsel
for Mr.D.Senthil Kumar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

A.Ramachandiran, son of Ayyathurai Kounder, a resident of Rangappanur Village, Sankarapuram Taluk, Kallakurichi District, has filed this writ petition under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to consider and dispose of the representation of the petitioner dated 6.12.2022.

2. Learned senior counsel appearing for the petitioner submitted that in Rangappanur village, more than 3000 families are residing and in order to supply drinking water to the village people, the



W.P.No.33855 of 2022

Government of Tamil Nadu had dug two wells and 6 tube bore wells in the lake area. From these bore wells, continuous drinking water supply is being given to the entire village people.

3. Learned senior counsel would submit that normally during the month of November-December, the Public Works Department would conduct lake auction for fish farming and that the Government officials have also decided to conduct the public auction of Rangappanur lake for fish farming. He submits that if Rangappanur lake is given for public auction for fish farming, the successful bidder/lessee may collect chicken waste from chicken stalls and restaurants and dump them into the lake as feed for the fishes. If the chicken waste and other poultry waste are dumped into the lake, naturally, the water gets polluted. As a result, the drinking water will be severely affected.

4. Learned senior counsel further submitted that on 4.11.2022, all of a sudden, the third respondent issued an auction notice for fish farming vide Ka.No.13/2022/I.PO-2/S-Puram. After coming to know through the Village Administrative Officer of Rangappanur Village that



W.P.No.33855 of 2022

the third respondent proposed to conduct an auction on 21.11.2022, the petitioner and the villagers have submitted a representation on 18.11.2022. However, the auction was not conducted on the said date and the auction is scheduled to be held today at 4.00 P.M.

5. Learned senior counsel pleaded that on 6.12.2022, the petitioner has submitted a representation to the respondents requesting them to stop the fish yield auction scheduled to be held on 16.12.2022 and the said representation has not been considered till date. Learned senior counsel urged that unless a direction is given to consider the representation of the petitioner, auction would be conducted today and the successful bidder/lessee would pollute the drinking water which may become poisonous and cannot be used for drinking purpose, including the cattle. Therefore, the petitioner has been advised to come to this Court.

6. At this juncture, learned State Government Pleader appearing for the respondents submitted that the auction is scheduled to be held today at 4.00 p.m. and, in principle, the respondents are also against the dumping of poultry waste and chicken waste into the lake. He



W.P.No.33855 of 2022

would submit that if the chicken waste and other poultry waste are dumped into the lake, no one including the cattle would be in a position to consume the water. That apart, that water cannot be used even for agricultural purpose. Therefore, on the basis of the representation given by the petitioner dated 6.12.2022, sufficient care would be taken by the respondent authorities and the requests of the petitioner would be considered by stopping the successful bidder/lessee from converting the lake water into poisonous one.

7. Learned Government Pleader also submitted that if the successful bidder/lessee is identified, suitable condition would be imposed in the lease agreement that no item or animal feed which will pollute the water in the lake will be used by the bidder/lessee, as the water in the Rangappanur lake is the main source of water for drinking and irrigation of agricultural lands.

8. Recording the submission made by learned State Government Pleader, we dispose of the writ petition with a direction to the respondent authorities to consider and pass a reasoned order on the representation of the petitioner dated 6.12.2022 within a period of



W.P.No.33855 of 2022

one week from the date of receipt of a copy of this order and communicate the decision thereon to the petitioner. There will be no order as to costs. Consequently, W.M.P.No.33328 of 2022 is closed.

(T.R., ACJ.) (D.B.C., J.)
16.12.2022

Index : Yes/No
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To:

- 1.The Executive Engineer,
Department of Water Resources,
Kilpenniyaru Basin Division,
Villupuram.
- 2.The Assistant Executive Engineer,
Department of Water Resources,
Kilpenniyaru Basin Sub-Division,
Sankarapuram.
- 3.The Assistant Engineer,
Department of Water Resources (Addl. Incharge),
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W.P.No.33855 of 2022

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