



W.P.(MD) No.26486 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.26486 of 2022

S.P.Koppaiah

... Petitioner

Vs.

- 1.The Principal Secretary,
State of Tamil Nadu,
Public Works Department,
Chennai – 600 009.
- 2.The Chief Engineer,
Plan Formulation,
Water Resources Department,
Public Works Department,
Chennai – 600 005.
- 3.The District Collector,
Madurai District,
Madurai.



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4.The Executive Engineer,
Water Resources Department,
(Gundaaru Watershed Division),
Public Works Department,
Madurai – 625 002.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take appropriate action to remove the two head sluice, which is constructed at the entrance of the Thottiapatti tank and as well as the 300 feet wall constructed inside the above said tank, with a view to enabling the water flows to the Nedumadurai tank by considering the representation given by the petitioner dated 15.12.2018 and pass such further or other orders as this Honble Court may deem fit and proper and thus render justice.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader.

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to take appropriate action to remove the two head



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sluice, which is constructed at the entrance of the Thottiapatti tank as well as the 300 feet wall constructed inside the above said tank, with a view to enable the water flow to the Nedumadurai tank, by considering the representation given by the petitioner dated 15.12.2018.

2. Heard Mr.N.Sathish Babu, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel for the petitioner submitted that though the petitioner made a representation on 15.12.2018 to the respondents 1, 3 and 4 seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the same. Hence, the petitioner has filed this Writ Petition.



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6. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 15.12.2018, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities concerned shall remove the same, after affording sufficient opportunity to all the parties and by following due process of law. Such an exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]

vsm

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and
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