



WEB COPY



W.P.No.21990 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2023

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.21990 of 2015 and  
M.P.No.2 of 2015

1. Varanavasi
2. Nallammal
3. Saraswathi

.. Petitioners

VS

1. The District Collector  
Erode District, Erode.
2. The Collector / Revenue Divisional Officer  
Erode.
3. Balasubramanian
4. Devaraju
5. Sampath
6. Suresh
7. Chinnasamy
8. Sundaram
9. Venkatachalam
10. Prakash @ Paramasivam
11. Arunachalam
12. Sengottaian

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent in and by its proceedings in Na.Ka.No.29982/2012/A1 dated 22.06.2015 confirming the order passed by the second respondent in and by its proceedings in Na.Ka.No.1362/2011/A1 dated 14.07.2014 and quash the same and



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consequently direct the respondents not to form any filed both in petitioner's land in S.F.No.157, Muthupalayam Village, Erode Taluk and District.

For Petitioners : Ms.P.T.Rama Devi

For Respondents : Mr.S.Ravichandran  
Additional Government Pleader  
for R1 and R2

Mr.P.Muthukumaraswamy  
for R3, R4, R6 and R12

R5, R7 to R10 no appearance

R11 died

### ORDER

The order passed by the District Collector in proceedings dated 22.06.2015 is under challenge in the present writ petition.

2. The writ petitioners stated that they jointly own an agricultural land in Survey Nos.157/1 and 157/2 in Alankattu Village. The said agricultural land is an ayacut land and is irrigated under the Lower Bhavani Project through branch channel No.2/2/70 at Alankattu Valasu. The channel runs through survey No.155/4, from South to North adjacent to the land belonging to the petitioner in Survey No.157/1 and 157/2 and thereafter, there are two branch channels running in Survey No.156, through which, the Survey Nos.158 and 159, belonging to the respondents



3 to 12, is being irrigated and there is no other branch channel running through the land belonging to the petitioner.

3. There was a dispute of sharing water for irrigation between the writ petitioners and the contesting respondent Nos.3 to 12. On account of that, a complaint was submitted by the private respondents to the District Collector regarding the illegality committed by the petitioners in utilizing the water for irrigation purposes from the Lower Bhavani Project through the branch channel. The District Collector personally conducted an inspection and adjudicated the issues and considered the gradient level and thereafter, passed the impugned order to ensure equal distribution of water to the ayacutdhars in that locality.

4. The District Collector considered the report submitted by the Executive Engineer, Public Works Department and the technical report submitted by the competent authority. In view of the fact that the technical report as well as the gradient level were considered by the District Collector for taking a decision, this Court is of the opinion that no further interference is required. More so, the distribution of water has been regulated as of now by implementing various Government circulars.



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5. The writ petition was filed in the year 2015. Now seven and a half years lapsed. During the pendency of the writ petition, the Government passed several circulars and orders regulating the water distribution for agricultural purposes as far as the Bhavani Project is concerned. That being the factum, no further interference is required in respect of the order impugned. If at all any grievance exists for either of the petitioners or for the contesting respondents, either of the parties are at liberty to approach the competent authority for the redressal of their grievances.

6. With these observations, the writ petition stands disposed of. There will be no order as to costs. Consequently, the connected miscellaneous petition is also closed.

Index : Yes/No  
Neutral Citation : Yes/No

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To:

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1. The District Collector  
Erode District, Erode.
2. The Collector / Revenue Divisional Officer  
Erode.



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**S.M. SUBRAMANIAM, J.**

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