



WEB COPY



WP.No.2.....

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

WP.No.2174 of 2017

K.Jayachandran

... Petitioner

Vs

1.The District Collector,
Erode District, Erode.

2.The Chief Engineer (Irrigation),
Pollachi Region,
Public Works Department, Coimbatore.

3.The Executive Engineer,
Canal Division, (Irrigation),
Public Works Department, Erode.

4.The Additional Chief Secretary/Commissioner
of Land Administration,
Chepauk.

... Respondents

(R4 Suo motu impleaded vide order dated 16.12.2021
Made in WP.No.2174 of 2017)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 09.04.2016 and pass orders within a reasonable time and to share the excess water which is flowing to the non-agriculture area of the authorised sector, to



WP.No.2.....

the right side of the Kalingarayan canal as authorised to receive the excess water and authorise the same.

WEB COPY

For Petitioner : Mr.Venkatesan
for Mr.V.Raghupathy
For Respondents : Mr.Alagu Goutham,
Government Advocate

ORDER

Mr.Venkatesan, learned counsel representing learned counsel on record for the petitioner states that the petitioner has passed away pending writ petition. However, the prayer is for a mandamus simplicitor directing the first respondent to consider the petitioner's representation dated 09.04.2016 and pass orders in regard to sharing of the excess water flowing to the non-agricultural area on the right side of the Kalingarayan canal.

2.This Court had, on 04.02.2022, directed the 4th respondent i.e. the Commissioner of Land Administration, to pass orders on the recommendation made by the first respondent on 11.02.2021 pursuant to the representation of the petitioner.

3.Learned Government Advocate appearing for the respondents states that the Commissioner of Land Administration (CLA/R4) has forwarded the file on 19.12.2022 to the Secretary to Government, Water Resources Department, who is the appropriate authority to pass orders on the petitioner's representation.



WP.No.2.....

4.Let the same be done within a period of eight (8) weeks from today. Notice may be issued to the legal heirs of the petitioner prior to passing of such orders, for their information and representation before the authorities, if they are so inclined.

5.This writ petition is closed in terms of the above order. No costs.

11.01.2023

vs

Index : Yes / No

Speaking Order

To

- 1.The District Collector,
Erode District,
Erode.
- 2.The Chief Engineer (Irrigation),
Pollachi Region,
Public Works Department,
Coimbatore.
- 3.The Executive Engineer,
Canal Division, (Irrigation),
Public Works Department,
Erode.
- 4.The Additional Chief Secretary/Commissioner
of Land Administration,
Chepauk.

Dr.ANITA SUMANTH,J.



WEB COPY



WP.No.2174 of 2017

VS

WP.No.2174 of 2017

11.01.2023