



W.P.(MD)No.4129 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.04.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.4129 of 2023

Paul Manoj Pandian @ P.H.Manoj Pandian

... Petitioner

Vs.

- 1.The Secretary to the Government,
Water Resources Department,
Fort St.George,
Chennai – 600 009.
- 2.The Secretary to the Government,
Public Works Department,
Fort St.George,
Chennai – 600 009.
- 3.The Principal Chief Engineer,
Chief Engineer (General),
Water Resources Department,
Chepauk,
Chennai – 600 005.
- 4.The Chief Engineer,
Project Planning and Designs Divisions,
Water Resources Department,
Chepauk,
Chennai – 600 005.



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5.The Executive Engineer,
Project Planning and Designs Divisions,
Water Resources Department,
Tirunelveli.

6.The District Collector,
Office of the District Collector,
Tenkasi.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the Project excavation of the new canal off-take from Veeranam big tank - Kasikkuvaithan Tank supply channel at LS 2150m to Kavalakkurichi big tank supply channel in Alangulam Taluk, Tenkasi District immediately as per the Lr.No. 160/Va B/E Va A/Ko-MP MLA Petition dated 27.06.2022 and Lr.No.B/1221/AE3/AEE3/2022 dated 28.06.2022.

For Petitioner : Mr.K.Chellapandian
Senior Counsel
for D.Venkatachalam

For Respondents : Mr.R.Ravindran
Additional Advocate General
Assisted by
Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard the learned Senior Counsel appearing for writ petitioner and the learned Additional Advocate General assisted by the learned Special Government Pleader appearing for the respondents.



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2. In response to the notice issued by this Court, the respondents have filed status report. Paragraph Nos.6 to 8 of the counter affidavit read as follows:

“6. I submit that the above scheme has been announced by Honourable Ex.Chief Minister of Tamil Nadu during Tenkasi District Inauguration function held on 22.11.2019. It is proposed to construct a regulator across Veeranam Periyakulam to Kasikuvaithan supply channel at LS 2150m and excavating a new canal for a length of 4.60 Km so as to feed Kavalakurichi Periyakulam and its chain of tanks in Uthumalai area. Again, the above scheme was announced by the Honourable Water Resource Minister in the floor of assembly on 23.08.2021. Based on the announcement, the estimate for an amount of Rs.14.20 crores was prepared and submitted to the Government vide Chief Engineer, WRD, Plan Formulation, Chennai Lr.No:B/AE/AEE3/Anno 2021-2022/New Canal/2021/ District: 20.10.2021.

7. I submit that the Schemes for every year was taken up on priority basis with more benefits to the public. Hence, the Government have carefully examined the proposal of Excavation of new link canal from Veeranam-Kasikuvaithan supply channel at LS 2150m to Kavalakurichi tank supply



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channel in Alangulam Taluk of Tenkasi District and decided to drop the proposal vide Government Lr.No: 19757 / S2 / 2021-3 / Dated: 01.03.2022. As per the instruction given by the Chief Engineer, WRD, Plan Formulation, Chennai vide Lr.No: B/ Pending Announcements-2022 / AE2 / OT2 / District:23.09.2022 the scheme was reconsidered and revised to the schedule of rate 2022-2023 for an amount of Rs.16.50 Crores. The inclusion of the scheme will be decided only by the Government.

8.I submit that the Government have prepared schemes throughout the State notwithstanding any request to be made for evolving irrigation projects. The water resources department has a separate Plan Formulation Wing headed by Chief Engineer with circles headed by Superintending Engineer's and many divisions at different places of the state for investigating the schemes relating to Irrigation projects. This year the above scheme is proposed under priority list of schemes. The above scheme will be implemented based on the policy decision taken by the Government.”

3.We wanted to dispose of this writ petition by recording the aforesaid stand of the respondents. At this stage, the learned Senior Counsel impressed upon this Court that the matter has been pending consideration since 2019 and as a result of delay in implementing the scheme, cost has escalated.



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We are therefore of the view that the respondents will show alacrity in implementing the petition mentioned scheme.

4. With these observations, this writ petition is disposed of. There shall be no order as to costs.

[G.R.S., J.] [B.P., J.]
06.04.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA
To

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