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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.6802 of 2022

C.Alagarsamy

... Petitioner

vs.

1.The District Collector,
O/o The District Collector,
Madurai.

2.The Executive Engineer,
O/o.The Executive Engineer,
Public Work Department,
Water Resources Department,
Periyar Pipe Channel Division,
Melur, Madurai District.

3.The Deputy General Manager (T)/Project Director,
National High Ways,
O/o.The Deputy General Manager (T)/Project Director,
2nd and 3rd Floor, Vijay Krishna Plaza,
No.1, Lake Area, Melur Main Road,
Mattuthavani, Madurai.

4.Gopal

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 09.02.2022 within the time period that may be stipulated by this Court.

For Petitioner	:Mr.S.M.A.Jinnah
For R1 and R2	:Mr.N.Muthu Vijayan Special Government Pleader
For R3	:Mr.S.Sankara Pandian for M/s.Arul Vadivel Associates
R4	:No Appearance *****

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondents, particularly, the third respondent to consider the representation given by the petitioner on 09.02.2022.

2.In the affidavit filed in support of this Writ Petition, it had been stated that a representation had been given by the petitioner and other beneficiaries to lay 1.5 meters cement water drain pipe for the flow of Padarathikulam Kanmai water pathway under the four way track which, crosses North to south at KM 13.190 of the water pathway in S.No.



76/6A7 at Chinnalampatti, E.Malampatti, Melur Taluk, Madurai.

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3.It had been stated that the respondents had put up the road by closing the channel and it had been stated that since no action had been taken, a representation had been given to lay a cement water drain pipe measuring 1.50 meters.

4.Heard Mr.S.M.A.Jinnah, learned Counsel for the petitioner, Mr.N.Muthu Vijayan, learned Special Government Pleader for the first and second respondents and Mr.S.Sankara Pandian, learned Counsel for the third respondent.

5.There had been a discussion between the petitioner and the respondents consequent to observation made by this Court and the respondents have stated that they would lay a pipe of 1.2 diameter and not 1.5 diameter.

6.The learned Counsel for the petitioner insisted that the pipe line should have a diameter of 1.5 meter, since there would be flow of water



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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.6802 of 2022

20.04.2023