



W.P.(MD) No.23860 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2023

CORAM:

**THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

W.P.(MD) No.23860 of 2018

and

W.M.P.(MD) No.21593 of 2018

The Othai Alangulam Villagers
rep.by Selvam
S/o.Mani
D.No.128, Sonai Kovil Street
Ward No.1, Othai Alangulam Village
Valayapatti Post
Thirupparangundram Taluk
Madurai District

... Petitioner

-vs-

- 1.The District Collector
Madurai District
Madurai
- 2.The Revenue Divisional Officer
Madurai, Madurai District
- 3.The Tahsildar
Thirupparangundram Taluk
Madurai District



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4.The Executive Officer
Public Works Department
O/o.Executive Engineer
Tallakulam
Madurai District

5.The Assistant Engineer
Public Works Department
O/o.Assistant Engineer Officer
Tallakulam
Madurai District

6.Kathiresan

7.Gurunathan

8.Palanisamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents 1 to 5 to remove the sand bags fixed by the respondents 6 to 8 and their villagers in the sluice of check dam, situating in Periya Alangulam Village and consequently, to take appropriate action for ensuring the free flow of water towards the petitioner's Othai Alangulam Kanmoi through the Check Dam situating in the Periya Alangulam Village without any hindrance in future based on the petitioner's representation dated 26.11.2018.



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For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R5
Mr.N.Anandakumar for R6 to R8

ORDER

[Order of the Court was made by The Hon'ble ACTING CHIEF JUSTICE]

This writ petition has been filed for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the sand bags laid by the respondents 6 to 8 and the villagers in the sluice of check dam situated in Periya Alangulam Village and consequently, to take appropriate action for ensuring free flow of water towards Othai Alangulam Kanmoi through the check dam, without any hindrance in future, based on the petitioner's representation dated 26.11.2018.

2. When the matter was taken up for hearing, learned Government Pleader appearing for the respondents 1 to 5 submitted that the sand bags have already been removed and in support of his contention, he has produced photographs before this Court.



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3. A perusal of the photographs shows that the sand bags laid in the sluice of the check dam have been removed.

4. At this juncture, learned counsel for the petitioner submitted that some permanent structures have been formed in the sluice. If that be so, it is for the petitioner to make a representation before the Authority concerned and work out his remedy in the manner known to law.

5. Recording the above submission of the learned Government Pleader, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[T.R., A.C.J.] [D.K.K., J.]

02.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk / smn2



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Madurai District.
- 4.The Executive Officer,
Public Works Department,
O/o.Executive Engineer,
Tallakulam,
Madurai District.
- 5.The Assistant Engineer,
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