



W.P(MD)No.29187 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29187 of 2022

and

W.M.P.(MD)No.23122 of 2022

P.A.Panchatchara Prabhu

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The Chief Engineer,
Madurai Region,
Water Resource Office,
Thallakulam,
Madurai-625 002.
- 3.The Superintending Engineer,
Water Resource Department,
Lower Vaigai Basin Circle,
Sivagangai Collectorate,
Sivagangai District.
- 4.The Executive Engineer,
Water Resource Department,
Manimutharu Basin Division,
Devakottai-630 303.
- 5.The Block Development Officer,
Kallal Panchayat Union,



W.P(MD)No.29187 of 2022

Karaikudi Taluk,
Sivagangai – 630 305.

6.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to open the Poyyalur tank Periyankundu 1st Sluice for irrigation of petitioner's land in survey No.315/1, to an extent of 5 acres 88 cents situated at Koothalur Revenue Group, Poyyalur Village Panchayat, Karaikudi Taluk, Sivagangai District till the permanent provision to be made for use of water from the Mandampatti Kanmai for the purpose of irrigation based on the representation of the petitioner dated 14.11.2022 made to the 1st respondent within a time frame fixed by this Honourable Court.

For Petitioner : Mr.VGS.Murugan

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader.

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the respondents.



W.P(MD)No.29187 of 2022

2.The petitioner had fairly enclosed the copy of the order dated 30.11.2022 made in W.P.(MD)No.8259 of 2022. The learned Special Government Pleader points out that the prayer made in the present writ petition and the earlier writ petition are one and the same. There is one difference. The earlier writ petition was filed by the petitioner's mother. The said writ petition was dismissed after a detailed consideration on merits. The petitioner therefore has to necessarily move the Hon'ble Division Bench by way of writ appeal. No relief can be granted in this writ petition. The writ petition is dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

02.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.29187 of 2022

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W.P(MD)No.29187 of 2022



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G.R.SWAMINATHAN, J.

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W.P(MD)No.29187 of 2022

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