



W.P.No.24162 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM :

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P.No.24162 of 2024

K.Vinoth

...Petitioner

Vs.

1. The District Collector,
Chengalpattu,
Chengalpattu District – 603 301.
2. The Assistant Engineer,
Water Resources Department,
Cheyyur, Pavunjur,
Chengalpattu District – 603 312.
3. The Assistant Executive Engineer,
Water Resources Department,
Kiliyaru Vadinila Ubakottam,
Maduranthagam, Chengalpattu District – 603 304.
4. Mohandas

...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner's representation dated 08.07.2024 and consequently direct the 1st and 2nd respondents to take necessary legal action against the 4th respondent based on his representation.



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For Petitioner : Mr.M.Venkadesh Kumar

For Respondents : Mr.LSM.Hasan Faisal, AGP, for R1 to R3
: Notice Dispensed With, for R4

ORDER

This Writ petition has been filed seeking direction to the 1st and 2nd respondents to consider the petitioner's representation dated 08.07.2024 and to consequently take necessary legal action against the 4th respondent.

2. In view of the consent expressed by the learned counsel on either side, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse order is being passed against the 4th respondent, notice to the 4th respondent is dispensed with.

4. The case of the petitioner is that the Pudupattu Irrigation Lake situated in Cheyyur Taluk, Chengalpattu District comes under the control of Water Resources Department of Government of Tamil Nadu and it is a significant source of irrigation for the surrounding agricultural lands and from



the said lake, more than 100 farmers are getting benefited. While so, the 4th respondent, for the purpose of carrying out fishing, without getting proper permission from the concerned authorities, is pumping out the water from the said lake by using tractors and motor pumps. Hence, the petitioner made a representation before the 2nd respondent, who in turn visited the place of occurrence and warned the 4th respondent, despite which, the 4th respondent is continuously carrying out fishing, which cannot be acceded to. Thereby, the petitioner made a representation dated 08.07.2024 before the respondents 1 & 2. Since the official respondents have not passed any orders on the said representation, the petitioner has come us with the present writ petition.

5. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 1st and 2nd respondents to consider the petitioner's representation dated 08.07.2024 and to consequently take necessary legal action against the 4th respondent for the illegal fishing activities being carried out by him in the above said lake.

6. Learned Additional Government Pleader appearing for the respondents 1 to 3 has no objection for the said order being passed by this



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Court and he fairly submitted that appropriate orders will be passed on the petitioner's representation within the time stipulated by this Court.

7. In view of the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 08.07.2024 on merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner, the 4th respondent and aggrieved persons, if any.

8. With the above directions, this Writ Petition stands disposed of. No costs.

22.08.2024

skt
NCC : Yes/No
Index : Yes/No
Speaking Order : Yes/No

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M.DHANDAPANI, J.

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