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W.P.No.32319 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM :

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

W.P.No.32319 of 2024

M.Mayilsamy

...Petitioner

Vs.

1. The Executive Engineer,
Parambikulam-Aliyar Project Scheme,
Water Resources Organization,
Makkinampatti, Pollachi-642 003,
Coimbatore District.
2. The Junior Engineer,
Parambikulam-Aliyar Project Scheme,
Water Resources Organization,
Chenjeriputhur, Pollachi Taluk,
Coimbatore District.
3. The Assistant Engineer,
Parambikulam-Aliyar Project Scheme,
Water Resources Organization,
Palladam, Pollachi Taluk,
Tiruppur District.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 16.09.2024 within a stipulated time as this Hon'ble Court fixes.



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For Petitioner : M/s.R.Hemalatha

For Respondents : Mr.Yogesh Kannadasan, Spl.GP

ORDER

The petitioner has filed this Writ petition seeking direction to the 1st respondent to dispose of the petitioner's representation dated 16.09.2024.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice on behalf of the respondents. 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. The case of the petitioner is that, he is the owner of the agricultural land comprised in S.No.413, Kasilingampalayam, Dharapuram Taluk, Tiruppur, measuring an extent of 3 Acres and the said land is registered Ayacut land and the petitioner is getting irrigation water from Parambikulam-Aliyar Project scheme canal for the past 40 years. Since the petitioner's land is elevated from the PAP canal, the petitioner and other similarly situated



persons approached the respondents and pursuant to which, the respondents made arrangements, enabling the petitioner and others to get irrigation water from PAP canal through pipeline under Gaada pipe scheme. While so, certain arrangements are made by the owner of the land comprised in S.No.414 to cut down the gaada scheme pipeline in order to construct separate sluice near his land and the 2nd and 3rd respondents, without considering the existing Gaada scheme pipeline and without consulting the elected PAP Project Committee, are taking steps to construct new sluice. Thereby, the petitioner made a representation dated 16.09.2024 before the 1st respondent seeking not to change over the existing Gaada pipeline scheme at Sluice No.12, Pudhu Ayyappaannaickenpalayam Sub Canal No.7 in PAP Scheme, which evoked no response. Hence, this Writ petition.

4. 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 respondent to consider and passed orders on the petitioner's representation dated 16.09.2024 as expeditiously as possible.



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5. Learned Special Government Pleader appearing on behalf of the respondents submitted that, appropriate orders will be passed on the petitioner's representation dated 16.09.2024 within the time stipulated by this Court.

6. In view of the aforesaid submissions, this Court, directs the 1st respondents to consider the petitioner's representation dated 16.09.2024 on merits and in accordance with law and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and aggrieved persons, if any, taking note of the old/existing pipeline scheme.

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

29.10.2024

skt

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

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To:

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M.DHANDAPANI, J.

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