



W.P.(MD).No.11461 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.09.2024

CORAM

**THE HONOURABLE MR.D.KRISHNAKUMAR,
THE ACTING CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.(MD).No.11461 of 2016

A.Murugesan

.. Petitioner

Vs.

1.The District Collector,
Madurai - 625 020.

2.The Chief Engineer,
Water Resources Organization,
Public Works Department,
Cheppakam,
Chennai - 600 005.

3.The Chief Engineer,
Water Resources Organization,
Public Works Department,
Madurai - 625 002.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the third respondent to dig the Periyar Vaigai Part 11th and 12th Branch Joint Channel Bed Level properly , as per his Lr.No.V3/R9/40/KO.8/2016/ dated 15.02.2016 through



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the concerned Chief Engineer, Water Resources Organization, Public Work Department Region No.7, considering the village people of Kullisettipatti Village, Kundalapatti Village, Pillayar Natham Village, Sirunayakkanpatti Villagers for agricultural purposes and to take necessary steps for getting the GO within a specified time as fixed by this Court.

For Petitioner : Mr.S.Vellaichamy
For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE)

The prayer sought for in this Writ Petition is to direct the third respondent to dig the Periyar Vaigai Part 11th and 12th Branch Joint Channel Bed Level properly, as per his Lr.No.V3/R9/40/KO.8/2016/ dated 15.02.2016 through the concerned Chief Engineer, Water Resources Organization, Public Works Department Region No.7, by considering the villagers of Kullisettipatti Village, Kundalapatti Village, Pillayar Natham Village, Sirunayakkanpatti, for agricultural purposes and to take necessary steps for getting the Government Order within a specified time as fixed by this Court.



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2. When the matter is taken up for hearing, the learned Government Pleader appearing for the respondents has informed this Court that the respondents have initiated land acquisition proceedings for the purpose of the aforesaid project. It is further submitted that some of the land owners have filed Writ Petitions challenging the land acquisition proceedings and the same are pending before this Court. In view of the same, the said project cannot be commenced until the disposal of the said Writ Petitions.

3. In such circumstances, we are of the view that the present Writ Petition cannot be entertained and the same is liable to be dismissed on the aforesaid ground. Accordingly, this Writ Petition stands dismissed with liberty to the petitioner to approach this Court at a later stage, if required. We make it clear that we have not gone into merits of the contentions raised by the petitioner. There shall be no order as to costs.

(D.K.K., A.C.J.) (M.S.Q.,J.)
06.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm/SMN2



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AND
MOHAMMED SHAFFIQ, J.

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