



WP(MD). No.23325 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.11.2024

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

**WP(MD). No.23325 of 2024 and
WMP(MD) No.19751 of 2024**

**Makkal Nala Alosanai Mayam,
rep. by its Founder President
K.Virumandi @ Rajkumar**

... Petitioner

Vs

**1. The Secretary,
Tamil Nadu Water Supply and Drainage Board (Twad),
Public Works Department -Estate,
Chepauk, Chennai 600 005.**

**2. The Secretary,
Tamil Nadu Water Resources Department,
Chepauk, Chennai 600 005.**

**3. The Engineering Director (In,
Charge), Tamil Nadu Water Supply and
Drainage Board (Twad),
No. 31, Kamarajar Salai,
Chepauk, Chennai 600 005.**

**4. The Chief Engineer,
Water Resources Department,
Middle Cauvery Basin Division,
Trichy Region, Pudukkottai Road,**

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Post Box No. 893,
Subramaniyapuram,
Trichy District..

5. The Chief Engineer,,
Water Supply and Drainage Board (Twad),
No. 1/1, Sambakulam, Ganesh Nagar,
Opp. to Mattuthavani Bus Stand,
Madurai..

6. The District Collector,,
Karur District, Karur..

7. The Executive Engineer,
Tamil Nadu Water Supply and Drainage
Board (Twad), No. 13/159a, 8th Cross Street,
Karur 639 001.

8. The District Revenue Officer,
Sh874, 1st Floor,
Karur District 639 007.

9. The Tahsildar,
Kulithalai Taluk,
Karur District..

10.Senthilnathan

... Respondents

(10th respondent has been impleaded
as per the order of this Court dated 13.11.2024
in WMP(MD) No.22931/2024

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 construct check dam with shutters across Cauvery River at Maruthur to Umayalpuram Village, Kulithalai Taluk, Karur District,



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based on the petitioner association representation dated 13.09.2024

For Petitioner : Mr.B.Prasanna Vinoth,
For Respondents : Mr.R.Baskaran
Additional Advocate General
assisted by Mr.R.Satheesh
for R1, R3, R5 and R7
Mr.P.Thilak Kumar for R2,R4,R6.R8&R9
Government Pleader
Mr.R.Anandharaj for R10

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed for a mandamus to direct the respondents 1 to 9 to construct check dam with shutters across Cauvery River at Maruthur to Umayalpuram Village, Kulithalai Taluk, Karur District, based on the petitioner association representation dated 13.09.2024



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3. The petitioner herein had given a representation to the respondents 1 to 9 on 13.09.2024 to construct a check dam. Since the said representation was not considered, the present writ petition has been filed.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents 1 to 9 herein to consider the petitioner's representation dated 19.09.2024, if it is not already disposed of, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondent as well as other



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persons, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.
No costs. Consequently connected Miscellaneous Petition is closed.

[M.S.R.,J]

[A.D.M.C.,J]

13.11.2024

Index : Yes / No

Internet : Yes

RR



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ORDER
IN
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Date : 13/11/2024