



W.P.(MD) Nos.2464 & 10785 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) Nos.2464 & 10785 of 2017

and

W.M.P(MD)Nos.2084, 8203, 8204 of 2017
& 22599, 23331 of 2019

1.P.Vigneshram

2.C.Packiyamani

3.S.Mahalingam

.. Petitioners
(In W.P(MD)No.2464 of 2017)

1.A.Durairaj

2.M.Asaithambi

3.R.Muniyammal

4.R.Lakshmanan

5.N.Ramakrishnan

6.M.Jebamalai Fernand

7.V.Krishnan

8.R.Jeyalakshmi

.. Petitioners
(In W.P(MD)No.10785 of 2017)



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Vs.

- 1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of Municipal Administration and Water Supplies,
Secretariat,
Chennai-9.
- 2.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of Revenue,
Secretariat, Chennai-9.
- 3.The Managing Director,
TWAD Board,
No.1, Kamarajar Salai,
Chepauk, Chennai-5.
- 4.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 5.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 6.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
- 7.The Assistant Engineer,
TWAD Board,
Paramakudi,
Ramanathapuram District.



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8.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

9.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

.. Respondents
(In both cases)

Common Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for records pertaining to the Impugned Order passed by the Respondent No.4 in Na.Ka.Pi/7/33780/2014, dated 19.02.2015 and quash the same as illegal and consequently direct the Respondent No.2 to grant Patta to the petitioners in their land in Old Survey No.309 and New Survey No.328 in an extent of 4.50 Acres per petitioners at Mookaiyoor Group and in Old Survey No.19 and New Survey No.30 in Kuthiraimozhi group, Kadaladi Taluk, Ramanathapuram District like similarly placed persons within the time frame fixed by this Court.

In both cases:

For Petitioners	:	Mr.M.Mahaboob Fazil for Mr.Lajapathi Roy
For R1, 2, 4-6	:	Mr.B.Saravanan Additional Government Pleader
For R3 & R7	:	Mr.R.Satheesh



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For R9 : Mr.K.Gnanasekar
Government Advocate(Crl.Side)

ORDER

The writ petitions have been filed to quash the order passed by the Respondent No.4 in Na.Ka.Pi/7/33780/2014, dated 19.02.2015 and consequently direct the Respondent No.2 to grant Patta to the petitioners in their land in Old Survey No.309 and New Survey No.328 to an extent of 4.50 Acres per petitioners at Mookaiyoor Group and in Old Survey No.19 and New Survey No.30 in Kuthiraimozhi group, Kadaladi Taluk, Ramanathapuram District like similarly placed persons.

2. It is informed by the learned counsel appearing for the respondents 3 and 7 that there is no proposal to install the desalination plant. The Government has issued G.O.(Ms)No.133, Municipal Administration and Water Supply (WS.1) Department, dated 27.09.2022 wherein the following terms have been issued:

“5. The Government, after careful examination of the proposal of the Managing Director, Tamil Nadu Water Supply and Drainage Board has decided to accept it and Issue the



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following orders:

(i) *Setting up of 60 MLD capacity Desalination plant at Kuthiraimozhi in Ramanathapuram District be dropped and the administrative sanction accorded in G.O.(Ms)No.110, Municipal Administration and Water Supply (WS.2) Department, dated 28.07.2015 there to is hereby cancelled ;*

(ii) *the Managing Director, Tamil Nadu Water Supply and Drainage Board is permitted to take up new Combined Water Supply Schemes in accordance with the Annual Action Plan of Jal Jeevan Mission with river Cauvery as source for Ramanathapuram District and with river Thamirabarani as source for Thoothukudi District :*

(iii) *the Managing Director, Tamil Nadu Water Supply and Drainage Board is also directed to follow the normal Administrative Sanction procedure under Jal Jeevan Mission for the proposed Combined Water Supply Schemes and to send the proposal accordingly.*

(iv) *the Managing Director, Tanil Nadu Water Supply and Drainage Board is also directed to ensure that the present supply from existing sources may be taken into account while preparing detailed project report.*

6. *This order issues with the Concurrence of Finance Department vide its U.O.No.43810/Finance (MAWS)/2022, Dated: 22.09.2022."*



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3. Considering the fact that there is no proposal to install the desalination plant, there is no disturbance to the petitioners' possession of the lands. It is open to the petitioners to take steps for grant of patta.

4. Recording the same, both the writ petitions stand disposed of.
No costs. Consequently, connected Miscellaneous Petitions are closed.

22.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The Principal Secretary,
Department of Municipal Administration and Water Supplies,
Secretariat,
Chennai-9.

2.The Principal Secretary,
Department of Revenue,
Secretariat, Chennai-9.



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3. The Managing Director,
TWAD Board,
No.1, Kamarajar Salai,
Chepauk, Chennai-5.
4. The District Collector,
Ramanathapuram District,
Ramanathapuram.
5. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
6. The District Revenue Officer,
Ramanathapuram District,
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7. The Assistant Engineer,
TWAD Board,
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8. The Tahsildar,
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P.T.ASHA, J.

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