



W.P.(MD)No.29393 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.29393 of 2024

M.Sathish

: Petitioner

Vs.

1.The Chief Secretary,
Secretary to Government,
Secretariat, George Fort,
(Water Resources Organization Department),
Chennai.

2.The Secretary,
Public Works Department,
(Water Resource Organization),
Secretariat, George Fort,
Chennai.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.



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4.The Superintending Engineer,
Public Works Department,
Sivagangai Circle,
Sivagangai District.

5.The Executive Engineer,
Public Works Department,
Paramakudi Division,
Paramakudi,
Ramanathapuram District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to release the water from the Vaigai River through Paralai Canal for the Agri lands of Mudukulathur Taluk, Kadalady Taluk and Kamuthi Taluk on the basis of the petitioner's representation dated 19.11.2024.

For Petitioner : Mr.M.Muniasamy

For Respondents : Mr.P.Thilak Kumar

Government Pleader

O R D E R

[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.



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2.This writ petition has been filed for a Mandamus to direct the respondents to release the water from the Vaigai River through Paralai Canal for the Agri lands of Mudukulathur Taluk, Kadalady Taluk and Kamuthi Taluk on the basis of the petitioner's representation dated 19.11.2024.

3.The petitioner herein had given a representation to the respondents on 19.11.2024, in this regard. 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.



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5.In the light of the above observations, there shall be a direction to the respondents 1 to 4 herein to consider the petitioner's representation dated 19.11.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein, as well as all other persons, who may be interested in the subject matter, within a period of three [3] months 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, this Writ Petition stands disposed of. There shall be no order as to costs.

[M.S.R.,J.] & [A.D.M.C.,J.]

06.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
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