



W.P.No.1326 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1326 of 2024
and W.M.P.No.1360 of 2024

- 1.A.C.Jaganathan
- 2.M.Rukmani
- 3.N.Chandrasekar
- 4.Ramalingam
- 5.Periyasamy
- 6.K.Kandhasamy
- 7.N.Rajeswari
- 8.Chellakumaran
- 9.T.P.Srikanth
- 10.Gopinath
- 11.Gunsasekar
- 12.Muthulakshmi
- 13.C.Dhatchinamoortthy
- 14.K.Eswaramurthi
- 15.S.Subramani

... Petitioners

Vs

1.The District Collector,
Erode,
Erode District.

2.The Revenue Divisional Officer,
Erode,
Erode District.

3.The Tahsildar,
Taluk Office,
Erode District-638001.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to strictly adhere to the G.O.(Ms).No.75 Water Resource Department dated 10.10.2023 and not to force the petitioners to execute perpetual Lease in respect of the Right of way for Avinashi Athikadavu Project by considering the petitioners representations dated 14.12.2023, 15.12.2023, 16.12.2023 & 25.12.2023 and for consequential orders.

For Petitioners : Mr.M.Guruprasad

For Respondents : Mr.P.Ganesan,
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to strictly adhere to the G.O.(Ms).No.75 Water Resource Department dated 10.10.2023 and not to force the petitioners to execute perpetual Lease in respect of the Right of way for Avinashi Athikadavu Project by considering the petitioners representations dated 14.12.2023, 15.12.2023, 16.12.2023 & 25.12.2023.

2. Since separate court fee has been paid by the petitioners, W.M.P.No.1359 of 2024 which has been filed seeking to permit the petitioners to file a single Writ Petition is ordered as prayed for.

3. It is the case of the petitioners that the State Government of



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Tamilnadu had introduced a project namely “Avinashi Athikadavu Project” vide G.O.Ms.No.75 Water Resource Department dated 10.10.2023. The said project intends to supply excess kalingarayan Channel water to lakes and ponds in Coimbatore, Tiruppur and Erode through underground pipelines. As per the said G.O the patta land owners are only to grant “Right to Use” for laying the pipelines and are entitled to receive compensation for any loss of tree loss. However, the 2nd respondent having misconstrued the aforesaid G.O, has been insisting the petitioners to execute a Perpetual Lease Deed for the Right of way, even though, no pipeline has been laid though the petitioners' patta lands as they are situated only adjacent to the pipeline alignment. In this regard, the petitioners made several representations to the respondents dated 14.12.2023, 15.12.2023, 16.12.2023 & 25.12.2023 requesting that not to force the petitioners to execute perpetual Lease in respect of Right of way. However, the same has not been considered till date. Hence, the petitioners have come up with the present Writ Petition.

4. Learned counsel for the petitioner submits that it would suffice, if this Court issues a direction to the respondents to consider the petitioners' representation dated 14.12.2023, 15.12.2023, 16.12.2023 & 25.12.2023 and pass orders on the same within the time that may be stipulated by this Court.

5. Learned Additional Government Pleader for the respondents submitted



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that the petitioners' representation dated 14.12.2023, 15.12.2023, 16.12.2023 & 25.12.2023 will be considered and appropriate orders will be passed.

6. In view of the limited relief sought for by the petitioners, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioners' representation dated 14.12.2023, 15.12.2023, 16.12.2023 & 25.12.2023 and pass appropriate orders on merits and in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and any other interested parties.

7. This Writ Petition stands disposed of with the aforesaid direction. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

04.11.2025

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs



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To

1.The District Collector,
Erode,
Erode District.

2.The Revenue Divisional Officer,
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Erode District.

3.The Tahsildar,
Taluk Office,
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M.DHANDAPANI, J

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