



W.P.No.35679 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.35679 of 2023

and

WMP.No.35656 of 2023

1.S.Ramachandran

2.Sathiyabama

... Petitioners

Vs.

1.The District Collector,
Kallakurichi District,
Kallakurichi.

2.The Revenue Divisional Officer,
Kallakurichi Revenue Division,
Kallakurichi,
Kallakurichi District.

3.The Chief Engineer,
Planning and Project Drawing,
Water Resources Organisation (WRO),
Public Works Department,
Chepauk, Chennai-600 005.

4.The Executive Engineer,
Irrigation/WRO,
Public Works Department,
Vellaru Basin Sub Division,
Kallakurichi,
Kallakurichi District.



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5.The Assistant Executive Engineer,
Irrigation/WRO,
Public Works Department,
Vellaru Basin Sub Division,
Kallakurichi,
Kallakurichi District.

6.The Assistant Engineer,
Irrigation/WRO,
Public Works Department,
Chinnasalem,
Kallakurichi District.

7.The Executive Engineer,
Planning and Project Drawing Division,
Water Resources Organisation (WRO),
Public Works Department,
Salem, Salem District.

8.The Executive Engineer,
Planning and Project Drawing Division,
Water Resources Organisation (WRO),
Public Works Department,
Villupuram, Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to implement the decisions of the fourth respondent dated 28.06.2018 and of sixth respondent dated 11.10.2023 respectively with regard to infeasibility of new Water Canal to link with Ulzhgakankathan Tank, situated at Ulzhgakanthan Village, Kallakurichi Taluk & District and consequently, direct the respondents 1 to 6 to distribute the water sharing equally to the petitioners' agricultural lands, situated at lower field of Kuthiraichandal Tank and Nallathur Tank, Kallakurichi Taluk & District.



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For Petitioners : Mr.M.R.Jothimanian

For Respondents : Mr.T.M.Rajangam, GA

ORDER

This Writ Petition has been filed seeking a direction to the respondents to implement the decisions of the fourth respondent and the sixth respondent dated 28.06.2018 and 11.10.2023 respectively with regard to infeasibility of new Water Canal to link with Ulzhgakankathan Tank, situated at Ulzhgakanthan Village, Kallakurichi Taluk & District. Further they sought for a direction to the respondents 1 to 6 to distribute the water sharing equally to the petitioners' agricultural lands, situated at lower field of Kuthiraichandal Tank and Nallathur Tank, Kallakurichi Taluk & District.

2. Heard the learned counsels on either side.

3. The learned counsel for the petitioners submitted that the petitioners own the agricultural lands and doing cultivation in their lands through irrigation from Kuthiraichandal Tank and also more than 500 acres of the agricultural lands are benefited from Kuthiraichandal and Nallathur



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Tank water irrigation. Despite there were water sharing issues in respect of the lower and upper fields, there is a proposal by the official respondents 3 to 8 to link Ulzhgakankathan Tank with the upper basin of Kuthiraichandal Tank and Nallathur Tank, which are against the decisions of the respondents 7 & 8 dated 28.06.2018 and 11.10.2023 respectively. Hence, the petitioners made representations to the respondents, however, there was no positive response.

4. Aggrieved by the same, the present Writ Petition has been filed.

5. The learned counsel for the petitioners submitted that in regard to the subject issue, the representations dated 07.09.2023 and 09.09.2023 were made by the petitioners herein, to implement the decisions of the respondents 4 & 6 dated 28.06.2018 and 11.10.2023 respectively. He further submitted that since no positive response from the respondents, the present Writ Petition has been filed.

6. Per contra, the learned Government Advocate for the respondents submitted that the subject issue is pending investigation with the respondents 7 & 8 and the proposal for linking of the water channel tanks



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with the new channel is yet to be decided and in regard to the representations of the petitioners, the sixth respondent had passed an order on 11.10.2023 stating that the proposal is pending investigation and as such, the Writ Petition is not maintainable and is liable to be dismissed.

7. Considering the submissions made on either side, this Court directs the second respondent herein to consider the representations of the petitioners dated 07.09.2023 and 09.09.2023 and to pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to send the copy of the representations already sent to the respondents along with the copy of this order.

8. With the above directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no costs.

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Index: Yes/No

NCC : Yes/No

Order : Speaking/Non Speaking

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