



WP(MD). No.31032 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.01.2025

CORAM

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

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1. Chellakannu,

2. Rasu,

3. Karuppaiya,

4. Ganasan,

5. Kamatchi,

6. Ponnammal,

7. Saravanan,

8. Chinamadurai,

9. Karthick,

10. Karuppaiya,

... Petitioners

Vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Water Resources Department,
Fort St. George, Chennai -600 009..

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2. The District Collector,
Pudukkottai District..

3. The Assistant Director,
Panchayathu,
Pudukkottai District..

4. The Revenue Divisional Officer,
Illuppur Division,
Pudukkottai..

5. The Thasildhar,
Illuppur Taluka,
Pudukkottai District..

6. The Thasildhar,
Viralimalai Taluka,
Pudukkottai District..

7. The Block Development Officer,
Annavaasal Block,
Pudukkottai District..

8. The Block Development Officer,
Viralimalai Block,
Pudukkottai District..

9. The Executive Engineer,
Public Works Department,
Water Resources Organization,
Trichy District..

10. The Panchayath Secretary,
Kattakudi Panchayat,
Annavaasal Block,
Pudukkottai District..



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11. The Panchayat Secretary,
Kongupatti Panchayat,
Viralimalai Block,
Pudukkottai District..

... Respondents

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 take necessary steps to restore the shape of the water channel/bunds running through Kurumbankulam situated at Survey No. 376, Kattakudi Revenue Village, Illuppur Taluka to Thuvankulam situated at Kongupatti Revenue Village, Viralimalai Taluka by removing the obstruction to free flow of excess water by considering the petitioners representation dated 04.11.2024 in view of the proceedings in Na.Ka.No. 421/2021/A2(Oo) dated 15.11.2024.

For Petitioners : Mr.B.Mahendrarajan
For Respondents : Mr.P.Thilakkumar for R1 to R8
Spl. Government Pleader
Mr.K.K.Kannan for R2

ORDER

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

2. The petitioners have filed this writ petition for a mandamus to direct the respondents to take necessary steps to restore the shape of the water channel/bunds running through Kurumbankulam situated at Survey



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No.376, Kattakudi Revenue Village, Illuppur Taluka to Thuvankulam situated at Kongupatti Revenue Village, Viralimalai Taluka by removing the obstruction to free flow of excess water by considering the petitioners' representation dated 04.11.2024 in view of the proceedings in Na.Ka.No.421/2021/A2(Oo) dated 15.11.2024.

3. In order to take necessary steps to restore the shape of the water channel/bunds running through Kurumbankulam in the aforesaid survey number, the petitioners have given a representation to the official respondents on 04.11.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.

4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them 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



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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 9th respondent herein to consider the petitioners' representation dated 04.11.2024 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as all other persons, who may be interested in the subject matter, within a period of three 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, the Writ Petition stands disposed of.

No costs.

[M.S.R.,J]

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

20.01.2025

NCC : Yes/No

Index : Yes/No

RR

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