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W.P.No.14153 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 14153 of 2024

&

W.M.P.Nos. 15338 & 17665 of 2024

V. Ramalingam

...petitioner

Vs.

1. The District Collector,
Tiruppur District
The Collectorate Office
Karuppa Gaundanpalayam
Tiruppur 641 604

2.The Revenue Divisional Officer
Udumalpet
Tiruppur 642 154

3.The Executive Engineer
Public Works Department Water
Resources Division Amaravathi
Basin Division Dharapuram
Tiruppur 638 656

...respondents



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Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, calling for the records in Muu.Mu.No.1734/2023/Al dated 14.02.2024 on the file of the 2nd respondent and quash the same and consequently direct the respondents to recognize the sluice gate in petitioner's land in S.No.234, 233/2B, 232, Thungavi Village, Maduthukulam Taluk, Tiruppur District, as per recommendation of the 3rd respondent in Letter No. Va.Pa-2/Ko,17/76(A)"/2016 dated 21.04.2017 and Va.Pa/Va-2/Ko,17/278/2017 dated 26.10.2017.

For petitioner : Mr. A.K.Kumarasamy
Senior Counsel

For Ms. J.Prithivi

For respondents : Mr. R.L.Karthika
Government Advocate

ORDER

This writ petition is filed for the following relief:

“To call for the records in Muu.Mu.No.1734/2023/Al dated 14.02.2024 on the file of the 2nd respondent and quash the same and consequently direct the respondents to recognize the sluice gate in petitioner's land in S.No.234,



233/2B, 232, Thungavi Village, Maduthukulam Taluk, Tiruppur District, as per recommendation of the 3rd respondent in Letter No. Va.Pa-2/Ko,17/76(A)"/2016 dated 21.04.2017 and Va.Pa/Va-2/Ko,17/278/2017 dated 26.10.2017."

2. The petitioner would submit that he is the rightful owner of agricultural lands in Thungavi Village, Maduthukulam Taluk, Tiruppur District and the said lands are ayacut lands irrigated through Amaravathi River Basin Project

3. The case of the petitioner is that due to frequent disturbances created by adjacent land owners, the petitioner and other land owners were constrained to construct temporary sluice gates, so as to save their crops and irrigate lands. The petitioner would further submit that a meeting was conducted and presided by the 1st respondent on 07.08.2015, pursuant to which the 3rd respondent conducted a thorough field inspection in the year 2017 and it was found that a shutter gate No.2 (left) is located in the lands belonging to one Mahalingam and the lower basin owners were not provided with water due to above said



Mahalingam's frequent disputes with the petitioner and other lands owners.

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4. The petitioner would contend that during inspection, the 3rd respondent noted that a new sluice gate in the main sluice gate in the petitioner's land was constructed to overcome the difficulty caused by the said Mahalingam. The new sluice gate is located in the petitioner's land and about 8.50 acres of land is irrigated and if the new sluice gate in the petitioner's land is closed, the lands will not be irrigated. Therefore, the 3rd respondent had recommended to recognize the temporary shutters in the petitioner's land by his letters dated 21.04.2017 and 26.10.2017. However, the respondents are not inclined to amend the revenue records as per the recommendation of the 3rd respondent.

5. The petitioner would submit that he has submitted his representation in person and as the same was not considered, he had filed W.P.No.35104 of 2022. Thereafter, the 2nd respondent passed the impugned order stating that no recommendations were received from



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the 3rd respondent. Therefore, the petitioner has approached this Court.

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6. The learned Government Advocate would submit that they did not even have the application that has been allegedly submitted by the petitioner on 09.12.2022.

7. Heard the learned counsels on the either side and perused the records.

8. The impugned order has been passed on 14.02.2024.

9. In paragraph No.5 of the counter affidavit filed by the Revenue Divisional Officer, Udumalpet, Tiruppur, it is stated as follows:

“It is humbly submitted that though the Hon’ble High Court ordered for considering the petition in its order WP.No.35104 of 2022, the petitioner was called for enquiry for 2 times on 14.02.2024 and 14.03.2024.”

This Court at loss to understand how after the passing of the impugned order, the petitioner could be called for an enquiry.



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10. In view of the above, the impugned order is quashed. The respondents are directed to consider a fresh the representation of the petitioner dated 19.12.2022. In the light of the fact that the respondents now contend that they have not received the representation dated 19.12.2022, the petitioner is directed to once again send an application dated 19.12.2022, within a period of 2 weeks from the date of receipt of a copy of this order. On receipt of the same, the respondents shall pass orders after giving opportunity to the petitioner as well as other interested parties and pass orders within a period of 3 weeks therefrom.

11. Accordingly, this writ petition is allowed. Consequently the connected miscellaneous petition is closed. No costs.

12. In view of the orders passed in this writ petition, the implead petition in WMP.No.17665 of 2024 is dismissed.

27.01.2026

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