

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30.04.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.13350 of 2015

Sebastian

.. Petitioner

Versus

- 1 The District Collector
Kancheepuram Collectorate Kancheepuram
- 2 Revenue District Officer
GST Road Chengalpattu
- 3 The Tahsildar
Thiruporur Taluk Chengalpattu Rod
Tiruporur Kanchipuram 603 110 Near BDO
office
- 4 The President
Illalur Town Panchayat Thiruporur Taluk
- 5 The Commissioner
Office of he Director of Town and Country
Planning NO.807 AnnaSalai Chennai-2
- 6 Member Secretary (i/c)
Mamallapuram Local Planning Authority
Municipal Complex GST Road Chengalpattu
603 001
- 7 Mr.G.Kumar
- 8 Mr.Munirathnam .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents 1 to 6 to inspect the water channels in Survey Numbers 295 301 302 306 318 326 and 327 in Illalur Village which connects the water body Periya Eri in Survey NO.473 Illalur Village Tiruporur Panchayat, Kancheepuram District and restore the water channels to its original position by removing the leveling and bunds made in the water channels and further prevent such tampering with the water channels affecting the petitioners agricultural operations.

For Petitioner : Mr.Amizhdhu.
For Respondents : Mr.P.Sanjai Gandhi (for R4 and R6)
Additional Government Pleader
Mr.S.Pattabiraman (for State Govt.)
Government Advocate.

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims to be the owner of 5.27 acres of Nanja lands in Illalur Village, Thiruporur Taluk and for the purpose of carrying out agricultural activities, he sent a lawyer's notice to the official as well as private respondents dated 05.03.2015 alleging obstruction and tampering/defacement of water channels in Illalur Village and thereby prevented water flow to his agricultural lands and though, the said representations were acknowledged, he has not been favoured with any response and hence, came forward to file this writ petition.

3. The learned counsel appearing for the petitioner has drawn the attention of this Court to the letter of the Revenue Divisional Officer addressed to the Tahsildar, Thiruporur, dated 21.03.2015 and would submit that inspite of the directions given to the Tahsildar, to inspect the land and give a report, no follow up action has been taken and prays for appropriate orders.

4. The Court heard the submission of Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for the respondents 1 to 3 and 5 and Mr.P.Sanjai Gandhi, learned Additional Government Pleader, who accepts notice for respondents 4 and 6.

5. Taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the representation, this Court, directs the respondents 2 and 3 to consider the lawyer's notice dated 05.03.2015 sent on behalf of the petitioner, on merits and in accordance with law, after putting on notice the respondents 7 and 8 and pass orders, as expeditiously as possible and not later than twelve weeks from the date of receipt of a copy of this order and inform the decision taken, to the petitioner as well as to the private respondents.

6. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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1 cc to M/s.R. Amizhdhu., Advocate, SR.No.24367
1 cc to Government Pleader, Sr.No24682

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