

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2015

CORAM

THE HON'BLE **MR.JUSTICE R.MAHADEVAN**

Writ Petition No. 15007 of 2015

Rajendiran

..Petitioner

-Vs-

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The District Forest Officer,
District Forest Office,
Tiruvannamalai,
Tiruvannamalai District.

3.The Forest Officer,
Sathanur Dam,
Thiruvannamalai,
Thiruvannamalai District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 and 2 to consider the representation submitted by the petitioner and others to the first respondent on 09.03.2015 and sent to the second respondent on 12.03.2015 seeking permission to take water through folding single rubber pipe on forest land to a distance of 150 meters.

For petitioner : Mr.P.Mani

For 1st respondent : Mr.M.S.Ramesh, AGP

For respondents
2 and 3 : Mr.N.Inbanathan G.A (Forest)

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. According to the petitioner, he is a farmer. During drought and summer seasons, the petitioner finds very difficult to carry out agricultural operations due to shortage of water. In order to get over the drought, the petitioner along with his family members joined together and drew water from Sathanur Dam irrigation canal by using oil engine and folding single rubber pipe. The respondents have already permitted Pannari Sugar Mills Private Limited, Kethandapatt as well as Milk Factory at Ammapalayam to take water from the said water canal by laying pipeline crossing the forest land. Since the third respondent has raised objection, the petitioner and others jointly made a representation to the first respondent on 09.03.2015 seeking permission to take water through folding rubber pipe crossing the forest land. The petitioner also submitted a similar representation to the second respondent on 12.03.2015. In spite of the representations dated 09.03.2015 and 12.03.2015, the first and second respondents have not taken any step to dispose of the same. Hence, the petitioner has filed the present Writ Petition.

3. Mr.P.Mani, learned counsel appearing for the petitioner would submit that inspite of the representations dated 09.03.2015 and 12.03.2015 submitted by the petitioner, the first and the second respondents have not chosen to respond and hence, prays for appropriate orders.

4.Mr.M.S.Ramesh, learned Additional Government Pleader appearing for the first respondent and Mr.N.Inbanathan, learned Government Advocate (Forest) appearing for the second and third respondents have submitted that necessary and appropriate direction may be issued to the first and second respondents to pass appropriate orders as expeditiously as possible.

5. This Court taking into consideration of the fact that seeking permission to take water through folding single rubber pipe on forest land to a distance of 150 meters, the petitioner has submitted the representations dated 09.03.2015 and 12.03.2015, but, till date, the first and second respondents have not chosen to take any step to dispose of the representations of the petitioner dated 09.03.2015 and 12.03.2015, without going into the merits of the contention put forward by the learned counsel appearing for the petitioner, is inclined

R.MAHADEVAN,J

paa/cla

to dispose of the Writ Petition, by directing the first and the second respondents to consider the representations of the petitioner dated 09.03.2015 and 12.03.2015 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and thereafter, communicate the decision taken to the petitioner. The Writ Petition is disposed of accordingly. There is no order as to costs.

paa/cla

21.05.2015

Index: Yes/No

Internet:Yes/no

To

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