

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20776 of 2015

1. K.Elumalai
2 E.Jeyalakshmi ... Petitioners

Versus

1 The District Collector
Villupuram District Villupuram.
2 The Tahsildar
Vikkiravandi Taluk Vikkiravandi Villupuram
District.
3 The Joint Director
Agriculture Department Collectorate Office
Villupuram Villupuram District.
4 The Assistant Engineer
Agriculture Department Collectorate Office
Villupuram Villupuram District.
5 Velu ... 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 4 to take action against the 5th respondent as prayed for in the representations dated 22.12.2014 and 23.12.2014 for removing the Eucalyptus plants from his land in Survey No.5/17A and 5/17E at Nagar Village Vikkiravandi Taluk Villupuram District within a stipulated time.

For Petitioners : Mr.A.Sivaji
For Respondents : Mr.V.Subbiah (for R1 to R4)
Special Government Pleader.

O R D E R

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

2. The petitioners claim that the lands in Survey Nos.5/18A, 5/15B admeasuring to an extent of 29 and 54 cents respectively, belong to them and so also the well in Survey No.5/15B, situated at Nagar Village, Vikkiravandi Taluk, Villupuram District.

3. The grievance expressed by the petitioners, is that the 5th respondent has planted Eucalyptus saplings in his lands and the said plant would suck not only the ground water dry but also make the atmosphere dry and the petitioners in this regard, submitted a representation dated 22.12.2014 to the District Collector and they were also directed to approach the agricultural department for

necessary steps and accordingly, the petitioners have approached the respondents 2 to 4 in the form of a representation dated 23.12.2014 and since, no orders came to be passed, came forward to file this writ petition.

4. Heard the submissions of the learned counsel appearing for the petitioners and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 4.

5. This Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioners in this writ petition, permits the petitioners to submit one more representation to the respondents 3 and 4 by enclosing a copy of this order as well as their earlier representation, within a period of two weeks from the date of receipt of a copy of this order and the respondents 3 and 4, on receipt of the same, is directed to consider the said representation, in accordance with law, after putting on notice the 5th respondent and pass orders, within a period of six weeks, thereafter, and communicate the decision taken, to the petitioner as well as to the 5th respondent.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ars
To

- 1 The District Collector
Villupuram District Villupuram.
- 2 The Tahsildar
Vikkiravandi Taluk Vikkiravandi Villupuram
District.
- 3 The Joint Director
Agriculture Department Collectorate Office
Villupuram Villupuram District.
- 4 The Assistant Engineer
Agriculture Department Collectorate Office
Villupuram Villupuram District.

+1 cc Mr.A.Sivaji, Advocate, sr.35235

+1 cc Government Pleader, sr.35396

W.P.No.20776 of 2015