

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.23753 of 2015

and

M.P.No.1 of 2015

M.Natarajan

... Petitioner

vs.

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

3. K.Chinnadurai

4. K.Bharani

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus, to direct respondents 1 and 2 to take suitable actions against respondents 3 and 4 for bomb blasting by using detonators and heavy machineries without any right, permission or authority and direct the respondents 3 and 4 to dug up their well by giving a gap of not less than 200 feet from the petitioner's irrigation well in his lands in Survey No.26 situated at No.145, Narasingapuram Madura Kuppam Village in Chethupattu Taluk, Thiruvannamalai District.

For Petitioner : Mr.M.Natarajan
Party-in-person

For R1 and R2 : Mr.Dig Vijay Pandian

For R3 and R3 : No appearance

ORDER

The petitioner is said to be the owner of the agricultural land measuring an extent of 8 cents comprised in Survey No.26, situated at No.145, Narasingapuram Madura Kuppam Village in Chethupattu Taluk.

2. The 3rd respondent is said to be the owner of the adjacent land in Survey No.5 of the very same village.

3. The grievance of the petitioner is that the 3rd respondent with the connivance of the 4th respondent, who is the father in law of the son of the 3rd respondent, is digging a well by using heavy explosives, causing hardship to the petitioner. It is the further grievance of the petitioner that by the said action, irrigation is being affected for the petitioner. Thus, the petitioner made representations to respondents 1 and 2 seeking to take appropriate action. As no action has been taken, the present Writ Petition has been filed.

4. It is seen from the record that in pursuance of the enquiry conducted by the Inspector of Police, Chethupattu Police Station, the 4th respondent made a statement that he would not indulge in such activities. However, the petitioner who appeared in person submitted that the said activity is still going on.

5. Considering the same, a direction is issued to respondents 1 and 2 to look into the grievances and take appropriate action in the manner known to law by directing the subordinate Officials working under them. The petitioner is directed to give a representation in this regard to respondents 1 and 2 within a period of two weeks from the date of receipt of a copy of this order as there is no indication that such representation has been given in this regard that too after earlier complaint given. After receipt of the same, as indicated above, respondents 1 and 2 shall act in accordance with law within a period of four weeks thereafter.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

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+ 1 cc to Mr.M.Natarajan Party in person SR 12281

+ 1 cc to Govt.Pleader SR 44176

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