

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.31293 of 2015
and M.P.No.1 of 2015

H.Prakash

.. Petitioner

-vs-

1.The Collector,
Thiruvallur District.

2.The Tahsildar,
Uthukkottai Taluk,
Thiruvallur District.

3.The Block Development Officer,
Ellapuram Panchayat Union,
Periyapalayam, Uthukkottai Taluk,
Thiruvallur District.

4.Executive Engineer,
Public Works Department,
Periyapalayam, Uthukkottai Taluk,
Thiruvallur District.

5.The President,
Panchayat Office,
Poorivakkam Village & Post,
Uthukkottai Taluk,
Thiruvallur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents from raising any constructions in and over natural water body in Survey no.334/4, measuring an extent of 0.90.0 acres, classified as 'Kuttai' in revenue record at (Old Revenue village No.80, Alapakkam) and at present, No.80, Athivakkam Village (Madhura Poorivakkam Hamlet) Uthukkottai Taluk, Thiruvallur District and restore the same to its original state for the use of public, within a time frame as may be fixed by this Court.

For Petitioner : Mr.R.Veeramani
For Respondents : Mr.S.T.S.Murthy,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P.
and Mr.V.Shanmugha Sundar,
Govt. Adv. For RR 1 and 2

* * * * *

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner, after making representation dated 14.09.2015, has immediately rushed to Court without even giving adequate time for the respondent-administration to respond to the allegation that a construction is being made in the pond area. It appears, there is conflict of interest between two group of villagers. Construction is stated to be for setting up a service centre under National Rural Employment Guarantee Scheme as sought by a group of villagers, while the petitioner represents the other view.

2.Be that as it may, the District Collector / first respondent may dispose of the representation of the petitioner within fifteen (15) days of receipt of this order recording reasons and after notice to all concerned.

3.Writ Petition stands disposed of in aforesaid terms, without any further right to institute public interest litigations. No costs. Consequently, M.P.No.1 of 2015 stands closed.

-sd/-

सत्यमेव जयते

ASSISTANT REGISTRAR (CS-III)

/ TRUE COPY /

WEB COPY

SUB-ASSISTANT REGISTRAR

sra

To

1.The Collector,
Thiruvallur District.

2.The Tahsildar,
Uthukkottai Taluk,
Thiruvallur District.

3.The Block Development Officer,
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Thiruvallur District.

+1 CC to Mr.R.Veeramani Advocate. SR.NO. 53659

W.P.No.31293 of 2015

CO-GGK

JD 13/10/2015

सत्यमेव जयते

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