

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.35720 of 2015

and

M.P.No.1 of 2015

P.Venkadachalam

... Petitioner

vs.

1. The Executive Engineer,
Water Resources Department,
Public Works Department,
Lower Bhavani Sub Division,
Erode - 2.

2. The Assistant Executive Engineer,
Water Resources Department,
Public Works Department,
Lower Bhavani Sub Division - II,
Erode - 2.

3. The Tahsildar,
Erode Taluk, Erode,
Erode District.

4. The Inspector of Police,
Chithode Police Station,
Chithode, Erode District.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus, directing the respondents to dig PWD canal in their land situated in S.No.271/1B, Elavamalai Village, Erode Taluk & District by implementing the 1st respondent order in his proceedings No.V4/Ko.1004/2015, dated 05.10.2015.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.V.Subbiah,

Special Government Pleader

ORDER

The petitioner has come with the prayer seeking a direction to the respondents to act in furtherance of the letter dated 05.10.2015 issued by the first respondent on the representation of the petitioner. After considering the relevant materials, an order was passed on 05.10.2015, by the first respondent stating that the existing canal available in the patta land in Survey No.271/1A2, Elavamalai village, Erode District can be changed with a modified one in Survey No.271/1B. The said order was passed on the request made by the petitioner that he would bear the entire cost on the aforesaid purpose. The petitioner is stated to be the brother of one P.Arulmani, who is stated to have given the representation on behalf of the petitioner as well.

2. It is seen that the first respondent has passed the order in Proceedings No. V4/Ko.1004/2015 dated 05.10.2015 only very recently. It has to be followed with a consequential action. Though the said order dated 05.10.2015 has also been marked to the petitioner, he cannot rush to this Court to expedite the entire issue, especially, when the order was passed only very recently.

3. However, taking into consideration the fact that the decision has been taken by the first respondent in the said proceedings, the second respondent is directed to take appropriate action as required by the first respondent expeditiously.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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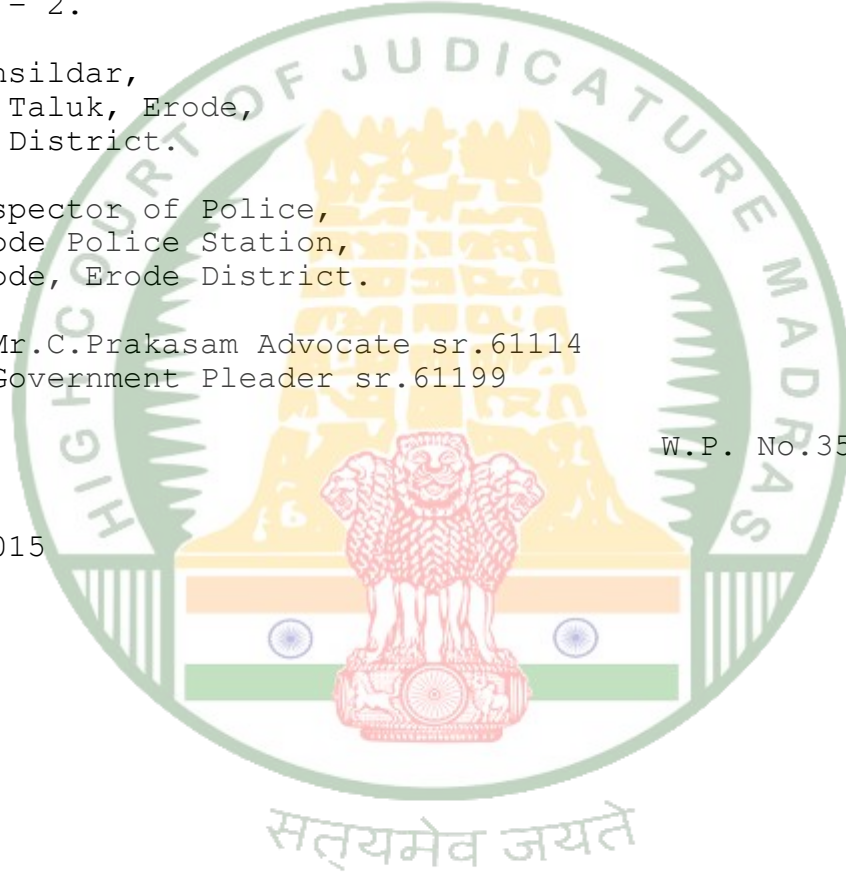
To

1. The Executive Engineer,
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Erode - 2.
2. The Assistant Executive Engineer,
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3. The Tahsildar,
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Erode District.
4. The Inspector of Police,
Chithode Police Station,
Chithode, Erode District.

+1 cc to Mr.C.Prakasam Advocate sr.61114
+1 cc to Government Pleader sr.61199

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