

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.3886 of 2015

S.Arumugam

...Petitioner

Vs

1. The District Collector,
Salem District, Salem.
2. The Block Development Officer,
Sankari Panchayat Union,
Sankari, Salem District
3. The President,
Kaveripatty Village Panchayat,
Okkilipatty Post,
Sankari Taluk, Salem District

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent herein to pass appropriate orders on the representations of the petitioner dated 07.10.2014 and 29.01.2015 after giving him opportunity of hearing.

For Petitioner : Mr.D.Selvaraju
For Respondents : Mr.M.L.Mahendran
Government Advocate

O R D E R

Heard Mr.D.Selvaraju, learned counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the respondents. With the consent of either side, the Writ Petition itself is taken up for final disposal.

2.The petitioner has sought to issue a Writ of Mandamus to direct the 2nd respondent to pass appropriate orders to his representations dated 07.10.2014 and 29.01.2015 after affording opportunity of hearing.

3.In the said representation, the petitioner has stated that his neighbouring land owners, namely, Chinnadurai, Govindasamy and Subbannan have erected Well and attempting to lay pipelines across the panchayat land without obtaining any permission and if the said persons are granted permission, the petitioner's right would be seriously jeopardized. The petitioner's representation was forwarded to the Block Development Officer, Sangagiri by

proceedings dated 16.10.2014 by Assistant Director, (Panchayat), Salem.

4.The leaned Government advocate submits that the said Chinnanan and two others have filed application before the 2nd respondent for grant of permission to lay the pipelines through the panchayat lands.

5.In the light of the objection raised by the petitioner, there shall be a direction to the 2nd respondent to conduct enquiry into the matter after issuing notice to the petitioner as well as Chinnadurai, Govindasamy and Subbannan and affording them an opportunity of personal hearing, shall proceed in accordance with law. While considering the objection raised by the petitioner, the 2nd respondent is directed to take note of the facts as pleaded by the petitioner.

With the above observation, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//
Sub Assistant Registrar

ssd
To

1. The District Collector,
Salem District, Salem.
2. The Block Development Officer,
Sankari Panchayat Union,
Sankari, Salem District
3. The President,
Kaveripatty Village Panchayat,
Okkilipatty Post,
Sankari Taluk, Salem District

+ 1 cc to Mr.D. Selvaraju, Advocate SR.9488
+ 1 cc Government Pleader Sr.432

W.P.No.3886 of 2015

RV(CO)
EU 09.03.15