

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6481/2015

and

MP.No.1/2015

R.Selvaraji

... Petitioner

Versus

1. The District Collector  
Villupuram District @ Villupuram.
2. The Chief Engineer [Water Resources  
Dept.], Public Works Dept., Chepauk  
Chennai - 5.
3. The Superintending Engineer  
Water Resources Department  
Public Works Department,  
Thiruvannamalai.
4. The Executive Engineer  
Water Resources Dept., Public  
Works Dept., Keelpennaiyaru,  
Vadinila Division, Villupuram Town  
and District.
5. The Assistant Executive Engineer,  
Water Resources Dept., Public Works Dept.,  
Tindivanam Town, Villupuram & District.

6.Mr.Krishnan

... Respondents

7.

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 3 to 5 to grant due sanction or permission to extract and draw water from the PWD Department Well due up in S.No.1/2 of Veedur village within Tindivanam Taluk, Villupuram District, to the petitioner for enabling

him to carry on with his agricultural activities as usual, as per the directions issued by the District Collector, Villupuram District, in their office Letter no.G2/3453/2015 dated 16.02.2015 and forward the same to the District Collector's office, within a time frame to be fixed by this Court.

For Petitioner : Mr.R.Selvaraji, Petitioner-in-person  
For R1 to R5 : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.R.Vijayakumar, learned Additional Government Pleader accepting notice for the respondents 1 to 5 and the writ petition is disposed of at the admission stage itself.

2.The petitioner appearing in person has filed this writ petition praying for a direction to the respondents 3 to 5 to grant due sanction / permission to extract and draw water from the PWD Well situate in S.No.1/2 of Veedur village, Tindivanam Taluk, Villupuram District for carrying out the agricultural activities.

3.It is seen that the petitioner had applied to the District Collector for grant of such permission and the District Collector, vide proceedings dated 16.02.2015 has forwarded the same to the 5<sup>th</sup> respondent and the matter is now pending consideration of the 5<sup>th</sup> respondent. The petitioner would also make another allegation as against the 6<sup>th</sup> respondent, who is a private party, stating that he is unauthorisedly laid pipes into the well and is illegally drawing water. Since the writ petition is disposed of at the admission stage without notice to the 6<sup>th</sup> respondent, the allegation against the 6<sup>th</sup> respondent is not gone into and it is left open to the 5<sup>th</sup> respondent to consider the same.

4.As notice above, the petitioner's application has been forwarded to the 5<sup>th</sup> respondent and it is pending before the 5<sup>th</sup> respondent. Therefore, there will be a direction to the 5<sup>th</sup> respondent to consider the petitioner's application dated 13.02.2015 after issuing notice to the petitioner and pass orders on merits and in accordance with law. Insofar as the allegation made against the 6<sup>th</sup> respondent, the 5<sup>th</sup> respondent shall issue notice to the petitioner and the 6<sup>th</sup> respondent and enquire into the allegation and pass separate orders in this regard. The above said direction shall be complied with by the 5<sup>th</sup> respondent within a period of two months from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

AP

Sub Assistant Registrar

To

1. The District Collector  
Villupuram District @ Villupuram.
2. The Chief Engineer [Water Resources  
Dept.], Public Works Dept., Chepauk  
Chennai - 5.
3. The Superintending Engineer  
Water Resources Department  
Public Works Department,  
Thiruvannamalai.
4. The Executive Engineer  
Water Resources Dept., Public  
Works Dept., Keelpennaiyaru,  
Vadinila Division, Villupuram Town  
and District.
5. The Assistant Executive Engineer,  
Water Resources Dept., Public Works Dept.,  
Tindivanam Town, Villupuram & District.

+2cc's to Mr.R.Selvaraji, Advocate, S.R.No.13153  
+1cc to the Government Pleader, S.R.No.13634

GJ(CO)  
CA(18/03/2015)

WP.No.6481/2015

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