

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2015

CORAM

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

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.19973 of 2010

and

M.P.Nos.1 to 4 of 2010

G.Srinivasalu

...Petitioner

-vs-

1. The District Collector,
Thiruvallur District, Thiruvallur.
2. The District Revenue Officer,
Thiruvallur District, Thiruvallur.
3. The Revenue Divisional Officer,
Ponneri, Thiruvallur District.
4. The Tahsildar,
Gummudipoondi Taluk,
Thiruvallur District.
5. The Block Development Officer,
Gummudipoondi Taluk,
Thiruvallur District.
6. The Divisional Engineer (H),
Highway Department,
Thiruvallur Division,
Thiruvallur District.

7.R.M.Kishore
8.R.S.Munirathinam
9.J.Gnanasekar

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the concerned records relating to the Order No.Na.Ka.1077-2010/A1 dated 19.02.2010 passed by the 4th respondent and order No.Lr.No.1012/2010/JDO-4/DT, dated 25.02.2010 by the 6th respondent and quash the same and consequently, forbear respondents 7 to 9 from taking away water through 4 pipeline from Manallur to Madharpakkam.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.S.T.S.Moorthy
Govt. Pleader for RR1 to 6

: Mr.R.Krishnaswamy for RR 7 to 9

O R D E R

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

The petitioner has filed the present writ petition on behalf of the residents of Manallur Village, alleging that the 4th and 6th respondents have wrongly granted permission to take water from the village through Government Poramboke land by issuance of 'No Objection Certificate' to lay a pipeline across National Highway to Matharpakkam village, where the 7th and 8th respondents are having large properties and thus, the water is being utilised for the benefits of 7th and 8th respondents.

2.It is pointed out by learned counsel for the private respondents that a suit has been filed to prevent interference by the villagers of Manallur in implementation of the Government Orders dated 19.02.2010 and 25.02.2010, which have been assailed in the present petition. Thus, to that extent, these orders are in issue in the suit.

3.Five years have passed since the filing of the petition. There has been no interim order. It would be known by now whether the grant of permission as per the impugned orders has created any difficulty for the residents of Manallur village or not.

4.We, thus, call upon the District Collector / the first respondent to look into the aspect of the impugned Government orders issued, to the extent whether there is any difficulty qua availability of water in the Manallur Village and appropriate order

be passed. The needful be done within four (4) weeks of receipt of this order. It is open to the Collector to hear the two sides and it is for the two sides to place their respective stand before the first respondent.

5.Writ Petition, accordingly, stands disposed of. No costs. Consequently, connected Miscellaneous Petitions stand closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

sra

To

1. The District Collector,
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Gummudipoondi Taluk, Thiruvallur District.
6. The Divisional Engineer (H),
Highway Department, Thiruvallur Division,
Thiruvallur District.

1 CC to Mr.M.Gnanasekar, Advocate SR.No. 14926

W.P.No.19973 of 2010

CA (CO)
PSI (25.03.2015)