



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBBIAH

Writ Petition (MD) No. 15332 of 2015

K. Kandasamy

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Revenue Divisional Officer,
Sivagangai - 630 561.

3. The Tahsildar,
Sivagangai Taluk,
Sivagangai - 630 561.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or any other appropriate Writ order or direction in the nature of Writ directing the 1st Respondent to consider the representation given by the petitioner on 06.07.2015.

For Petitioner : Mr. A. L. Vijeydevraj

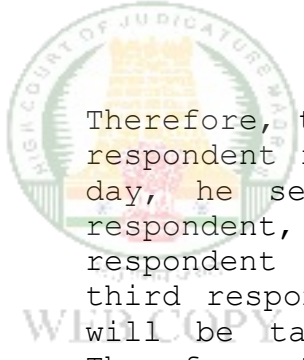
For Respondent : Mr. M. Murugan
Govt. Advocate, takes notice

ORDER

This Writ petition has been filed praying for issuance of Writ of Mandamus directing the first Respondent to consider the representation of the petitioner dated 06.07.2015.

2. Mr. M. Murugan, learned Government Advocate, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage.

3. The case of the petitioner is that, in Privalur Village, a tank called Koothiyarkundu Enthal, is used to collect rain water for drinking purpose and the rain water is run through the channel which is situated in Survey No. 211/10. Some of the village people constructed toilets in the midst of the said channel and the same obstructs free flow of rain water to the said channel. Due to blockage of passage of rain water, water course was diverted and it entered into the house of the petitioner and the same will cause disturbance to the petitioner.



Therefore, the petitioner has given a petition on 19.08.2013 to the first respondent for removing the obstruction made in the channel. On the same day, he sent another petition to the second respondent. The second respondent, vide his letter dated 29.10.2013, directed the third respondent to take action on the petition given by the petitioner. The third respondent, after investigation, sent a reply stating that action will be taken to remove the obstruction. But no action was taken. Therefore, the petitioner has given a representation on 06.07.2015 to the first respondent and the same has also not been considered so far. Hence, the present writ petition has been filed for the relief sought for therein.

4. Without going into the merits of the case, or the merits of the representation of the petitioner, this Court directs the first respondent to consider the petitioners' representation dated 06.07.2015 after affording opportunity to all the necessary parties if any, and pass appropriate orders on merits and in accordance with law, within a period six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

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To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai - 630 561.

3.The Tahsildar,
Sivagangai Taluk,
Sivagangai - 630 561.

+2 CC to Mr.A.L.Vijay Devaraj Advocate Sr.Nos.49136, 49312

+1CC to Spl.Government Pleader Sr.No.49469

GJM/JGB/DP/SAR(AD) 4.9.15-2P-7C

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