



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.17524 of 2014

R.Sudalaiyandi Kannan

... Petitioner

Vs.

1.The District Collector,
Tuticorin, Tuticorin District.

2.The Director,
Rural Development Department,
Chennai.

3.The Assistant Director,
Rural Development Department,
Tuticorin, Tuticorin District.

4.The Project Director (Rural)
Tuticorin District Region,
Tuticorin District.

5.The Block Development Officer,
Pudukottai Panchayat Union,
Tuticorin, Tuticorin District.

6.The President,
Kumaragiri Grade II Panchayat,
Pudukottai, Tuticorin District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents not to put up any bore well and pump set room in public pathway in front of plot No.192 and Plot No.310 situated at Selvam City, Kumaragiri Grade II Panchayat, Pudukottai, Tuticorin District by considering representation dated 04.10.2014 within the time stipulated by this Court.

For Petitioner	: Mr.D.Selvanayagam
For Respondents 1-5	: Mr.A.K.Baskarapandian, Special Government Pleader.
For 6 th Respondent	: Mr.K.Mahesh Raja

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

This writ petition has been filed seeking for a direction to the respondents not to put up any bore well and pump set room in public pathway in front of plot Nos.192 & 310 situated at Selvam City, Kumaragiri Grade II Panchayat, Pudukottai, Tuticorin District, by considering representation dated 04.10.2014.



2. The grievance of the petitioner appears to be that the fifth respondent is attempting to dig a borewell in front of the said plot numbers and hence a representation has been given and the same has not been considered so far. The learned counsel also relied upon an order reported in AIR 1993 Madras 258 [S.Shanmugha Sundaram V. The Collector of Kamarajar Dist. and others], wherein similar facts of this case have been dealt with and orders have been passed in favour of the petitioner therein.

3. Following the same, this writ petition is allowed. No costs. It is open to the respondents to select any other site and dig up a borewell in accordance with law. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Tuticorin,
Tuticorin District.
- 2.The Director,
Rural Development Department,
Chennai.
- 3.The Assistant Director,
Rural Development Department,
Tuticorin,
Tuticorin District.
- 4.The Project Director (Rural)
Tuticorin District Region,
Tuticorin District.
- 5.The Block Development Officer,
Pudukottai Panchayat Union,
Tuticorin,
Tuticorin District.

+1cc to Mr.D.Selvanayagam, Advocate SR.No.52313

Writ Petition (MD) No.17524 of 2014
07.09.2015

mj

NS/AN-MP/16.09.2015 : 2P/7C