



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU

W.P. (MD) No.20043 of 2015

and

M.P.No.1 of 2015

P.Sundarasekaran : Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Revenue Divisional Officer,
Tiruchendur Sub Division,
Thoothukudi District.

3.The Tahsildar,
Tiruchendur Taluk, Thoothukudi District.

4.The Superintendent of Police,
Thoothukudi District.

5.The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action to stop the drainage water which comes from Mandukulam Kanmaai into the petitioner's business premises which is having running in the name and style of T.P.S.Chambers, which is having Survey No.842 to an extent of 31/2 acres situates at Palkulam, Thirukallur Village, Thiruchandur Taluk, Thoothukudi District and consequently direct the respondents 4 and 5 to give necessary police protection to the petitioner's business as per the representation sent by the petitioner dated 02.11.2015.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.M.Murugan

Government Advocate

O R D E R

This Writ Petition is filed seeking for a direction to the respondent Nos.1 to 3 to take appropriate action to stop the drainage water, which, according to the petitioner, is let in into his business premises. Even according to the petitioner, such incident has occurred on 01.11.2015 and a complaint was made by him only on 02.11.2015. Without waiting for the authorities to act on the complaint, the petitioner has hurriedly rushed to this Court and filed the present Writ Petition.

2. In my considered view, filing of this kind of Writ Petition and seeking for the relief immediately, after making representation, is to be deprecated, as the power under Article 226 of the Constitution of India cannot be taken so lightly and sought to be misused. Accordingly, I find that the present Writ Petition is highly premature and consequently, the Writ Petition is dismissed with liberty to the petitioner to approach this Court, if appropriate action is not taken by the authorities concerned within a reasonable time. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

- To
1.The District Collector,
Thoothukudi District.
2.The Revenue Divisional Officer,
Tiruchendur Sub Division, Thoothukudi District.
3.The Tahsildar, Tiruchendur Taluk, Thoothukudi District.
4.The Superintendent of Police, Thoothukudi District.
5.The Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District.

+One cc to the Special Government Pleader, SR.No.65024

NB

RL/7c/SK/SKN/17/11/2015

ORDER MADE IN
W.P. (MD) No.20043 of 2015

DATED - 05.11.2015