



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. (MD) No.9818 of 2014

and

M.P. (MD) Nos.2 and 3 of 2014

- 1.T.Ramasamy
- 2.R.Vijay Bharathy
- 3.R.Sangeetha
- 4.S.Sangamammal
- 5.Lakshmi

... Petitioners

Vs.

- 1.The District Collector,
Madurai District.
 - 2.The Revenue Divisional Officer,
Madurai.
 - 3.The Tahsildar,
Madurai North Taluk,
Collectorate Complex,
Madurai.
 - 4.The Executive Engineer,
Public Works Department, WRO,
Periyar Main Canal Division,
Melur, Madurai District.
 - 5.The Tahsildar,
Madurai East Taluk,
Madurai District.
- (R5 is impleaded vide order dated 03.06.2015
in M.P. (MD) No.4 of 2014)

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 23.02.2014 and direct the respondents to form the water course and rain water harvesting channel as per the revenue records and FMB sketch leading to Eachaneri Kanmai and consequently, restrain the respondents their men and subordinate officials from in any way interfering with the peaceful possession and enjoyment of the petitioners' properties situate in Eachaneri Village, Madurai North Taluk, Madurai District, bearing survey old number 19B/10 and 17/9 new resurvey No.22/9A, 22/9B, 22/9C, 22/9D and 22/9E with an extent of 2 acres 72 cents under the colour of laying channel.

For Petitioner : Mr.S.Ramesh

For Respondents : Mr.M.Murugan, G.A.

**ORDER**

The Writ petition has been filed to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 23.02.2014 and direct the respondents to form the water course and rain water harvesting channel as per the revenue records and FMB sketch relating to Eachaneri Kanmai and consequently, restrain the respondents, their men and subordinate officials from in any way interfering with the peaceful possession and enjoyment of the petitioners' properties bearing Survey Nos.19B/10 and 17/9 new Resurvey Nos.22/9A, 22/9B, 22/9C, 22/9D and 22/9E to an extent of 2 acres 72 cents situate in Eachaneri Village, Madurai North Taluk, Madurai District, under the colour of laying channel.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3.Relating to formation of water course and rain water harvesting channel in the above said lands, the petitioners submitted a representation dated 23.02.2014 to the respondents, which is kept pending till date.

4.No counter affidavit has been filed so far. Hence, the respondents are directed to look into the representation and pass appropriate orders, after giving due opportunity to the petitioners, who shall produce all the necessary documentary evidence and thereafter, by considering the same, necessary orders on merits be passed within a period of 4 weeks from the date of receipt of a copy of this order.

The Writ petition is disposed of accordingly. No costs. Consequently, connected M.Ps.are closed.

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,Madurai District.
- 2.The Revenue Divisional Officer,Madurai.
- 3.The Tahsildar,Madurai North Taluk,
Collectorate Complex,Madurai.
- 4.The Executive Engineer,
Public Works Department, WRO,
Periyar Main Canal Division,
Melur, Madurai District.
- 5.The Tahsildar,Madurai East Taluk,Madurai District.

+1cc to Mr.V.Raghavachari,Advocate SR.No.34235

+1cc to Special Govt.Pleader SR.No.34065

W.P. (MD) No.9818 of 2014

25.06.2015

nbj

PA/SJW/22.07.2015/2P/8C