

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2016

CORAM

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

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

W.P.No.11242 of 2016 and

WMP.No.9758 of 2016

Murthy

... Petitioner

-vs-

- 1.The Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Secretary to Government,
Revenue Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 3.The District Collector,
Villupuram District,
Villupuram.
- 4.The Revenue Divisional Officer,
Tindivanam Taluk,
Villupuram District.
- 5.The Tahsildar,
O/o The Tahsildar,
Tindivanam Taluk,
Tindivanam.
- 6.The Assistant Engineer,
P.W.D. (Water Resource Wing),
Irrigation Division,
Vedoor Dam,
Tindivanam Taluk,
Villupuram District.

7.The Survey Officer,
O/o The Tahsildar,
Tindivanam Taluk,
Villupuram District.

.. Respondents

Petition filed Under Article 226 of the Constitution of India praying for issue a Writ Of Mandamus or any other appropriate Writ or Order or Direction in the nature of Writ, directing the Respondents 1 to 7 herein to consider the representation preferred by the petitioner dated 30.01.2016 and remove the encroachment made in Vedoor dam and its water spread area situate in Vedoor Village, Tindivanam Taluk, Villupuram District.

For Petitioner : Mr.M.Venkadeshnan

For Respondents: Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.Shanmugasundar
Govt. Advocate for R1 to R7

ORDER

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

The petitioner alleges that there are encroachments in the water area. On our query, the learned counsel for the petitioner is not able to answer when these encroachments took place. All that is stated in the petition is that a representation was made on 30.01.2016, followed by a legal notice dated 06.02.2016. Respondent No.6 has already responded to the same vide letter dated 12.02.2016 stating that the encroachments in the water spread area would be removed soon after the receipt of the survey report from respondent No.5.

2. We fail to appreciate why the petitioner should be rushing to the Court now knowing fully well that elections have been notified.

3. We, of course expect and believe that respondent No.6 will ensure that the survey is conducted and necessary action taken, but we are not inclined to entertain the writ petition as the petitioner has not waited for sufficient time for the

Government's response, especially taking into consideration that the election process is on.

4. The writ petition is dismissed with the aforesaid observation. No costs. Consequently, WMP.No.9758 of 2016 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

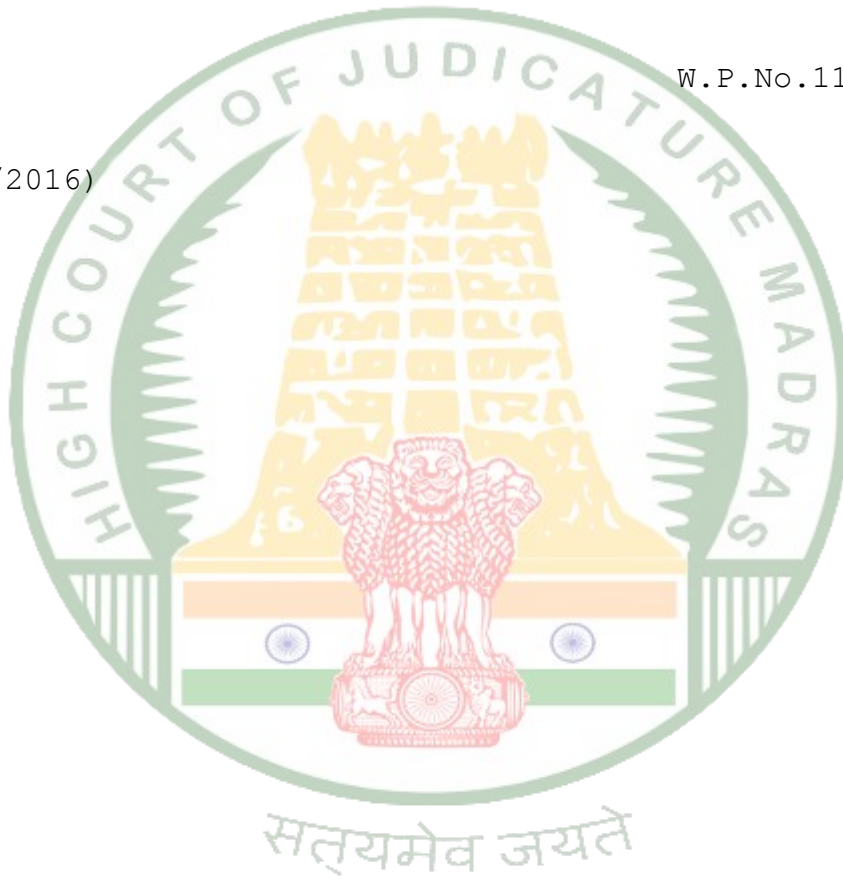
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+1cc to M/S.M.Venkadeshnan, Advocate, S.R.No.19323
+1cc to the Government Pleader, S.R.No.19185

W.P.No.11242 of 2016

ala(CO)
srg(05/04/2016)



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