

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.11789 of 2016

and

W.M.P.Nos.10172 of 2016

Gothanda Reddy

...Petitioner

Vs.

1. The District Collector,
Vellore District, Vellore.

2.The Project Officer (Rural)
Collectorate, Vellore District
Vellore.

3.The Assistant Director of Panchayats,
Collectorate, Vellore District.

4.The Block Development Officer,
Block Development Office,
Vellore.

5.The Tahsildar,
Anaicut Taluk Office,
Anaicut, Vellore District.

6.The Village President,
Boodhur Village Panchayat,
Ussoore Post,
Anaicut Taluk, Vellore District.

...Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus forbearing the respondents and their men from in any manner constructing the Over Head Water Tank at the end and middle of New Street, Govinda Reddy Palayam Village, Boodhur Village Panchayat and consequently direct the respondents to relocate the proposed

Over Head Water Tank to some other common place of Govinda Reddy Palayam Village, Boodhur Village Panchayat.

For Petitioner : Mr.K.Premkumar

For Respondents: Mr.Rm.Muthukumar,
Govt. Advocate
for R1 to R3 & R5

Mr.N.Srinivasan,
Addl. Govt. Pleader
for R4 & R6

ORDER

The petitioner seeks writ of mandamus prohibiting the respondents from in any manner constructing the Over Head Water Tank at the end and middle of New Street, Govinda Reddy Palayam Village, Boodhur Village Panchayat and consequently direct the respondents to relocate the proposed Over Head Water Tank to some other common place of Govinda Reddy Palayam Village, Boodhur Village Panchayat.

2. The grievance of the petitioner is that opposite to the petitioner's house, in the middle of the road namely New Street, Govinda Reddy Palayam Village, Boodhur Village Panchayat, the Panchayat Over Head Water Tank is proposed to be constructed which would obstruct the movement of vehicles and also access to the agricultural fields. Therefore, the petitioner submitted a representation to the first respondent on 07.12.2015 which was forwarded to the fourth respondent for further action. The fourth respondent, by reply dated 18.12.2015 submitted that by constructing over head water tank in the Govinda Reddy Palayam Village, Boodhur Village, the water shall be used for supplying to the villagers. Since the respondents have not dropped the action to construct the overhead water tank, the petitioner has come up before this Court.

3. Heard Mr.K.Premkumar, learned counsel appearing for the petitioner, Mr.Rm.Muthukumar, learned Government Advocate appearing for the respondents 1, 2, 3 and 5 and Mr.N.Srinivasan, learned Additional Government Pleader appearing for the respondents 4 and 6.

4. The Additional Government Pleader produced a copy of the resolution No.73, passed by the 6th respondent on 30.11.2015 and by the resolution, the proposal to locate and construct overhead water tank opposite to the petitioner's property at

New Street, Govinda Reddy Palayam Village, Boodhur Village Panchayat has been cancelled.

5. Since the fourth respondent himself has passed a resolution cancelling construction of over head water tank at New Street, Govinda Reddy Palayam Village, Boodhur Village Panchayat and the grievance of the petitioner has been answered positively by the respondent, no further order is necessary.

6. With the above observation, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

rgr

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Vellore District, Vellore.

2.The Project Officer (Rural)
Collectorate, Vellore District
Vellore.

3.The Assistant Director of Panchayats,
Collectorate, Vellore District.

4.The Block Development Officer,
Block Development Office,
Vellore.

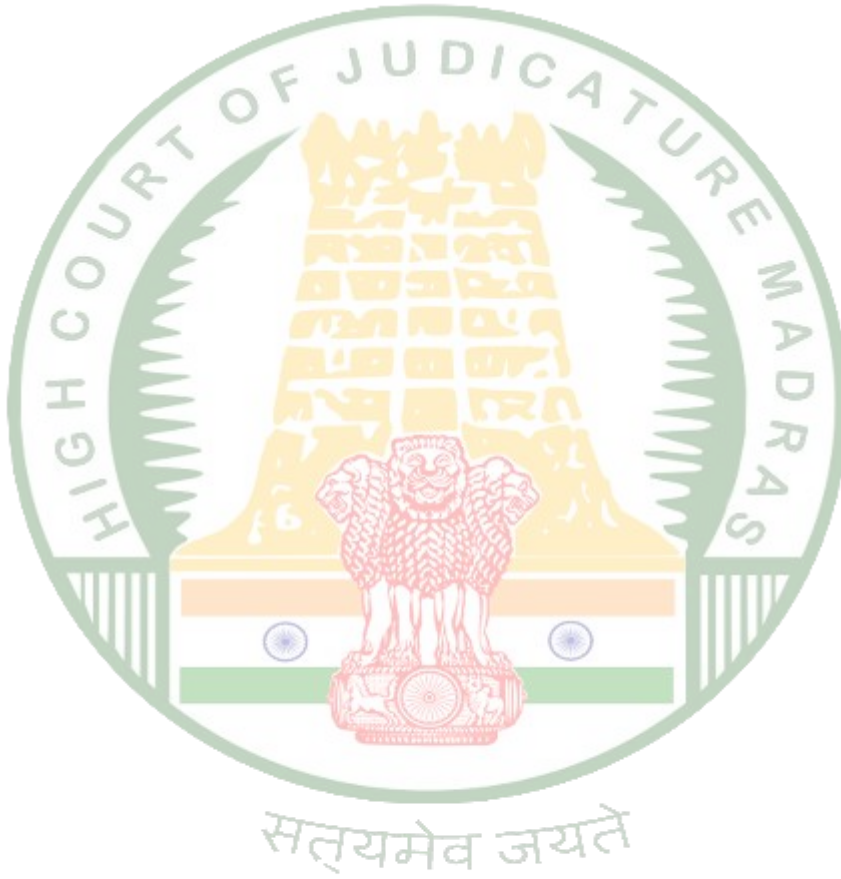
5.The Tahsildar,
Anaicut Taluk Office,
Anaicut, Vellore District.

6.The Village President,
Boodhur Village Panchayat,
Ussoore Post,
Anaicut Taluk, Vellore District.

+1cc to Mr.K.Premkumar, Advocate S.R.No.33854
+1cc to Mr.N.Srinivasan, Advocate S.R.No.33220
+1cc to the Government Pleader, S.R.No.33273

KR/30/6/16

W.P.No.11789 of 2016



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