

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.12580 of 2016

and

W.M.P.No.10861 of 2016

M.Revathi

No.8/120, Palamedu,
Mallasamudhram,
Tiruchengode Taluk,
Namakkal District.

..Petitioner

vs.

1.The District Collector,
Namakkal District,
Namakkal.

2.The Block Development Officer/
The Commissioner,
Mallasamudhram Panchayat Union,
Mallasamudhram,
Tiruchengode Taluk,
Namakkal District.

3.Mallasamudhram Panchayat Union,
represented by its Chairman,
Mallasamudhram,
Tiruchengode Taluk,
Namakkal District.

4.Palamedu Village Panchayat,
represented by its President,
Palamedu,
Tiruchengode Taluk,
Namakkal District.

5.The Tamil Nadu Generation & Distribution
Corporation Ltd.,
represented by its Assistant Engineer (O&M),
Mallasamudhram Suburban
Tiruchengode Taluk,
Namakkal District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the bore well dug by the respondents 2 to 4 in the patta land of the petitioner in Survey No.65/1A4E at Palamedu Village, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.R.M.Muthukumar
Government Advocate [R1]
Mr.D.Suriya Narayanan
Government Advocate [R2 & R3]

O R D E R

By consent, the main Writ Petition itself is taken up for final disposal. Heard Mr.K.Selvaraj, learned counsel for petitioner, Mr.R.M.Muthukumar, learned Government Advocate for first respondent and Mr.D.Suriya Narayanan, learned Government Advocate for respondents 2 and 3.

2. The petitioner has filed this writ petition seeking for issuance of a writ of mandamus directing the respondents 1 to 4 to remove the bore well dug by the respondents 2 to 4 in the patta land of the petitioner in Survey No.65/1A4E at Palamedu Village, Tiruchengode Taluk, Namakkal District.

3. The allegation is that the respondents 2 to 4 have installed a bore well in the petitioner's patta land and hence, the petitioner seek for a direction not to give electricity supply to the bore well. The representation given by the petitioner has been taken into consideration by the fifth respondent and he has issued notice to the petitioner dated 28.12.2015 to produce the necessary records to establish that the petitioner is the owner of the said property.

4. The petitioner would state that on 29.12.2015, she has responded to the notice and she has submitted a copy of the sale deed dated 19.08.2013, Patta No.41 and Field Map for the Survey No.65. The said documents are said to have been given in person to the fifth respondent.

5. In the light of the above, there shall be a direction to the fifth respondent to enquire into the matter after issuing notice to the petitioner

and respondents 3 and 4 and only after satisfying himself, he shall proceed in accordance with law to consider the application for grant of electricity supply.

The Writ Petition is disposed of with the above direction.
No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gm
To

- 1.The District Collector,
Namakkal District,
Namakkal.
- 2.The Block Development Officer/
The Commissioner,
Mallasamudhram Panchayat Union,
Mallasamudhram,
Tiruchengode Taluk,
Namakkal District.
- 3.The Chairman,
Mallasamudhram Panchayat Union,
Mallasamudhram,
Tiruchengode Taluk,
Namakkal District.
- 4.President, Palamedu Village Panchayat,
Palamedu,
Tiruchengodu Taluk,
Namakkal District.
- 5.The Assistant Engineer (O&M),
Tamil Nadu Generation & Distribution
Corporation Ltd.,
Mallasamudhram Suburban,
Tiruchengode Taluk,
Namakkal District.

+1cc to Mr.K.Selvaraj, Advocate, S.R.No.21169
+1cc to Mr.D. Suriya Narayanan, Advocate, S.R.No.21434
+ 1 cc to Government Pleader Sr.21276

VGI (CO)
EU(22/04/2016)

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