

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19878 of 2016

A.Elavarasu

... Petitioner

Vs.

1. District Collector,
Erode District,
Erode.
2. District Revenue Officer,
Collectorate,
Erode District-638 011.
3. Revenue Divisional Officer,
Gobichettipalayam,
Erode District-638 452.
4. The Tahsildar,
Sathiyamangalam Taluk,
Sathiyamangalam.
5. V.S.Perumal
6. S.Natarajan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and pass necessary orders on the representation of the petitioner dated 03.05.2016 on merits and in accordance with law.

For Petitioner : Mr.G.Pavendhan

For Respondents : Mr.K.Thangapandi for R1 to R4
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner is doing agricultural operation in Ikkarai Thathapalli, Sathyamangalam, Erode District in S.No.195/1,2,3 admeasuring an extent of 1.66.0 Hectare and to rear the crop, he prayed for permission to take water through the pipe line across the Government Poromboke in S.Nos.177, 174/1, 183, 188 and 196. The second respondent has also accorded permission to him to do so vide proceedings dated 03.05.1993, subject to certain conditions and according to the petitioner, he is fulfilling all conditions for the purpose of availing the said facilities.

3.The grievance expressed by the petitioner is that the respondents 5 and 6 have no right whatsoever and are repeatedly interfering with the right of the petitioner to take water through the pipeline across the said poromboke land and in this regard, the petitioner has lodged a complaint on the file of the Bhavani Sagar Police Station, based on which, CSR No.57 of 2016 was given and simultaneously, the petitioner also submitted a representation dated 03.05.2016 to the first respondent and also marked copies to the respondents 2 to 4 pointing out the said illegal act and prayed for appropriate action and since no response is forthcoming, came forward to file this writ petition.

4.Heard the submissions of Mr.G.Pavendhan, learned counsel appearing for the petitioner and Mr.K.Thangapandi, learned Government Advocate who accepts notice on behalf of the respondents 1 to 4.

5.This Court without going into the merits of the claim projected by the petitioner, directs the second respondent to consider and dispose of the petitioner's representation dated 03.05.2016 submitted to the first respondent, a copy of which has been marked to him, on merits and in accordance with law, after putting on notice the respondents 5 and 6, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the respondents 5 and 6.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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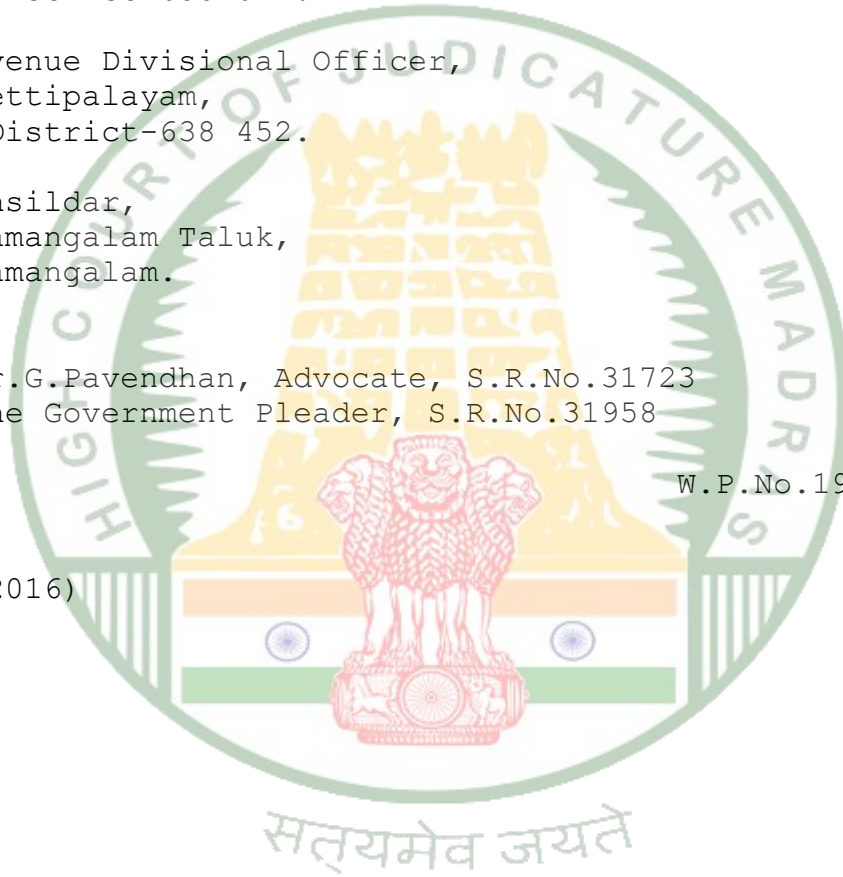
To

1. The District Collector,
Erode District,
Erode.
2. The District Revenue Officer,
Collectorate,
Erode District-638 011.
3. The Revenue Divisional Officer,
Gobichettipalayam,
Erode District-638 452.
4. The Tahsildar,
Sathiyamangalam Taluk,
Sathiyamangalam.

+lcc to Mr.G.Pavendhan, Advocate, S.R.No.31723
+lcc to the Government Pleader, S.R.No.31958

W.P.No.19878 of 2016

RSI (CO)
CA (27/06/2016)



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