

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2016

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.26278 of 2016

M.Krishnamurthi

... Petitioner

Versus

1.The District Collector,
Cuddalore District, Cuddalore.

2.The Assistant Director of Town Panchayat,
Cuddalore District, Cuddalore.

3.The Executive Officer,
Pennadam Town Panchayat,
Pennadam.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents to restore the water body situated in S.No.39 at T.AgaramVillage, Pennadam Town, Tittagudi Taluk, Cuddalore District as per the resolution No.510 dated 30.06.2015 passed by the Pennadam Town Panchayat.

For Petitioner : Mr.K.P.Gopalakrishnan
for Mr.K.Anbuselvan

For Respondents : Mr.T.N.Rajagopalan
Special Government Pleader
for R.1 to R.3

O R D E R

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

Notice which is accepted by learned counsel for the respondents Nos.1 to 3.

2. Petitioner states that Eri land was encroached upon and in pursuance to the direction passed by this Court in W.P.No.23947 of 2014, decided on 04.09.2014, action was taken to

remove the encroachment, after notice to all concerned. Thereafter, the Panchayat is stated to have passed resolution No.510 dated 30.06.2015 for dredging of the pond area and other activities, so that the pond became usable for the benefit of agriculturists in the area. This resolution is stated to have still not been implemented, though there is a communication on record dated 27.06.2016 in the form of a report submitted by the Town Panchayat Office to the District Collector, stating that steps would be taken for undertaking the project, while inspecting the vacant land through the engineering department for saving any water and excavation of water body too.

3. We are of the view that since rains are approaching in November, it is advisable that action in this behalf is now taken on an urgent basis, so that the benefit of the rains can be availed. We thus call upon the Executive Officer of the Town Panchayat/third respondent to take necessary action forthwith without delay, so that the project can be completed at least by the first week of November, 2016.

4. The writ petition accordingly stands disposed of, leaving the parties to bear their own costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ksr

To

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Assistant Director of Town Panchayat,
Cuddalore District, Cuddalore.

3.The Executive Officer,
Pennadam Town Panchayat,
Pennadam.

+1cc to Mr.K.Anbuselvan, Advocate, S.R.No.42652

+1cc to the Government Pleader, S.R.No.42907

W.P.No.26278 of 2016

MP 1(CO)

CA(11/08/2016)