

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.26675 of 2016

S.P.Sengottaiyan

... Petitioner

Vs.

1.The Assistant Engineer,
Highways Buildings Maintenance Office,
Yedapadi,
Salem District.

2.The District Collector,
Office of the District Collector,
Salem.

3.The Assistant Engineer,
TWAD Board,
Mettur Taluk,
Salem.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the first respondent to permit the petitioner to carryout repairs of the pipelines laid down by the petitioner in the Highways situate in between the petitioner's land S.No.93/1B and S.No.109/4A, 109/2 and 153/1, Sappani Patti, Manavasi Post, Mettur Taluk, Salem District.

For Petitioner: Mr.B.Ravi

For Respondent : Mr.R.Goindasamy,
Special Government Pleader. [R1 & R2]

ORDER

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner claims to be the owner of the agricultural land situate in S.No.93/1B, Sappani Patti, Manavasi Post, Mettur Taluk, Salem District admeasuring to an extent of 2 acres 69 cents, purchased through a registered sale deed dated 11.10.1978 and a well along with pump set are also located in the said land. The petitioner would state that he also own 5.25 acres of land situate in S.No.109/4A. 109/2 and 153/1 and there are 300 coconut trees and 150 mango

trees are grown in that land and to irrigate the same, water is taken from the well situate in S.No.93/1B through pipes and the Tamil Nadu Water and Drainage Board, while laying the pipe lines, has damaged the pipes put up by the petitioner for taking the water from the said well and therefore, submitted a representation dated 02.07.2016 to the first respondent praying for necessary permission to effect the repairs at his own cost and though it was received and acknowledged, no orders have been passed and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.B.Ravi, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

4. Though the petitioner prayed for larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation dated 02.07.2016 in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Assistant Engineer,
Highways Buildings Maintenance Office,
Yedapadi,
Salem District.

2.The District Collector,
Office of the District Collector,
Salem.

3.The Assistant Engineer,
TWAD Board,
Mettur Taluk,
Salem.

+1 cc to mr.R.Subramanian, advocate,sr.43564
+1 cc to Govt.Pleader,sr.43654.

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