

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Writ Petition No.32536 of 2016

M.Krishnan

...Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Kanchipuram,
Kanchipuram District.

2.The Tahsildar,
Office of the Tahsildar,
Chengalpattu Taluk,
Kanchipuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to dispose of the petitioner's representation dated 24.02.2016.

For Petitioner : Mr.C.Venkatesan

For Respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

ORDER

(Order of the Court was made by HULUVADI G. RAMESH,J.)
With the consent of both the parties, the writ petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition is filed praying to issue a Writ of Mandamus to direct the respondents to dispose of the representation of the petitioner dated 24.02.2016.

3. The case of the petitioner is that he is having an agricultural land measuring to an extent of 1 acre 10 cents in

S.No.35/2 of Ayyancheri Village. On the eastern side of his land, a water canal is situated in Survey No.47. The petitioner used to utilise the water flowing therein for the purpose of irrigation. While so, some persons have encroached the land in and around the said water canal by constructing buildings, which caused disturbance to free flow of water. Therefore, he made a representation dated 24.02.2016 to the respondents to remove the encroachment made in the water canal situated in Survey No.47. Since the said representation was not considered so far, the petitioner has filed the present writ petition for the above stated relief.

4. Heard Mr.C.Venkatesan, learned counsel for the petitioner and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. Considering the facts and circumstances of the case, we direct the respondents to consider the representation of the petitioner dated 24.02.2016 with respect to removal of encroachment made in the water canal situated in Survey No.47, by conducting proper enquiry. If there is any encroachment, it is for the respondents to do the needful in accordance with law, after issuing due notice and after affording an opportunity of personal hearing to the petitioner as well as to all the parties, who are likely to be affected. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

rk
To

1.The District Collector,
Office of the District Collector,
Kanchipuram,
Kanchipuram District.

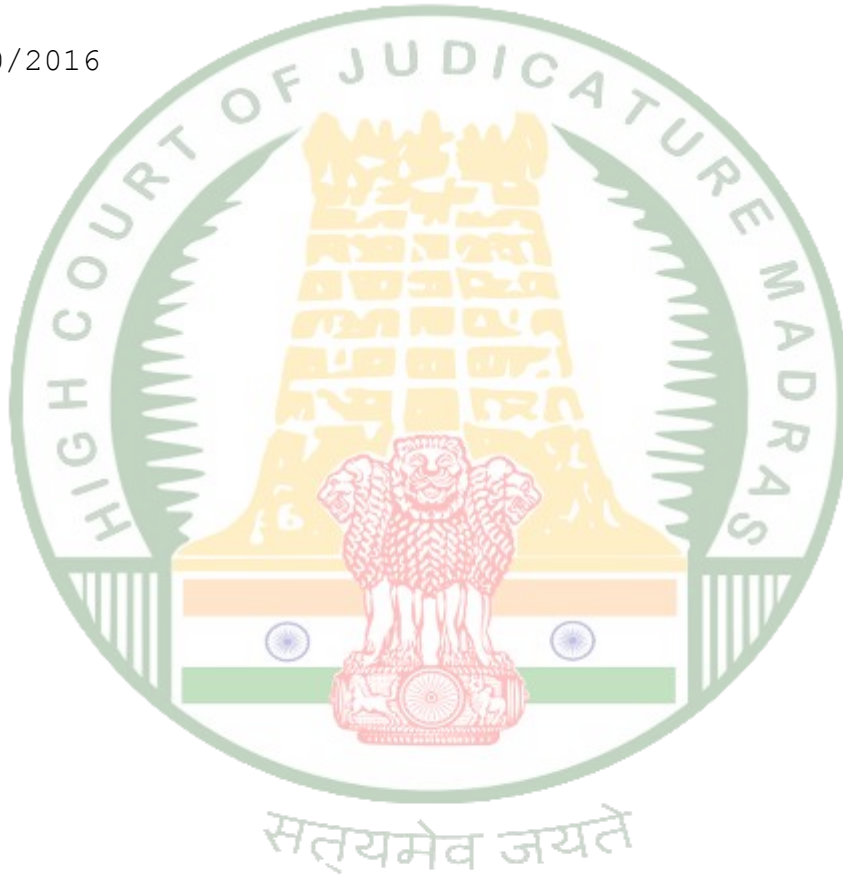
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2.The Tahsildar,
Office of the Tahsildar,
Chengalpattu Taluk,
Kanchipuram District.

+1 CC to Mr. C. Venkatesan, Advocate Sr.No.52789
+1 CC to the Government Pleader Sr.No.53487

W.P.No.32536 of 2016

ALA (CO)
MD : 06/10/2016



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