

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.11.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.40760 of 2016

C.Subramanian

.. Petitioner

vs.

1.The District Collector,
Villupuram District,
Collectorate, Villupuram.

2.The Thasildar,
Taluk Office,
Gingee, Villupuram District - 604 202.

3.The Block Development Officer,
BDO Office, Melmalayanur,
Villupuram District - 604 204.

4.The President,
Kuduvampoondi Panchayat,
Kuduvampoondi,
Villupuram District - 604 208.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the reply letter dated 04.01.2016 and grant permission to the petitioner to take water from the well located in S.No.162/1A3 and passes through the Government Poramboke lands in Survey Nos.157, 70, 60, 71/1 and 65/1 by laying of pipeline and to irrigate the petitioner's another patta lands in Survey No.64/2 of Kuduvampoondi Village, Gingee Taluk, Villupuram District.

For Petitioner : Mr.K.Pravin Kumar

For Respondent Nos.1 & 2: Mr.R.S.Selvam

Government Advocate

For Respondent Nos.3 & 4: Mr.C.C.Rangarajan

O R D E R

Heard Mr.K.Pravin Kumar, learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate for respondents 1 and 2 and Mr.C.C.Rangarajan, learned counsel for respondents 3

and 4, in the above writ petition. By consent of the learned counsel for both sides, the Writ Petition is taken up for final disposal.

2.The petitioner is an agriculturist. During drought and summer seasons, he finds very difficult to carry out agricultural operations in S.No.64/2 due to shortage of water. In order to get over the drought, he drew water from his well situated at S.No.162/1A3 by using laying pipeline through the Government Poramboke lands situated at Survey Nos.157, 70, 71/1, 60 and 65/1. Hence, he made representations to the respondents for grant of permission to lay pipeline through Government land but till date no action has been taken and hence, the Writ Petition has been filed.

3.K.Pravin Kumar, learned counsel appearing for the petitioner would submit that the petitioner would be satisfied, if his representation is directed to be considered and appropriate orders are passed as expeditiously as possible.

4.Mr.R.S.Selvam, learned Government Advocate for the respondents 1 and 2 has got no serious objection for directing the first respondent, who is the competent authority to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law.

5.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the first respondent, to consider the representation of the petitioner, dated 04.01.2016 and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Villupuram District,
Collectorate, Villupuram.

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Villupuram District - 604 208.

+1 cc to Mr.K.Pravin Kumar, advocate,sr.68242.

ssi(co)
krd 26/12

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