

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.03.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice M.M.SUNDRESH

W.P.No.8169 of 2016

Pichamuthu

... Petitioner

Versus

1.The District Collector
Salem District.

2.The Project Officer,
District Rural Development
Collectorate Campus, Salem.

3.The Executive Engineer,
P.W.D., W.R.O.,
Sarabanga Basin Division,
Namakkal.

4.The Executive Engineer,
NABARD Scheme
(Roads and Bridges)
District Rural Development
Collectorate Campus, Salem.

5.The Executive Engineer
Public Works Department
Planning and Design Division,
Hasthampatti, Salem 7.

6.The Revenue Divisional Officer,
Attur, Salem District.

7.The Tahsildar
Attur Taluk,
Salem District.

8.The Block Development Officer,
Thalaivasal Union,
Salem District.

9.The President,
Village Panchayat,
Siruvachur Village,
Attur Taluk,
Salem District.

10.K.Venkatachalam

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 08.02.2016 and instruct the respondents 2 to 10 to stop the ''Thar Road'' laying in river comprising in S.Nos.172,184, 185 and 186 and Chinnapillai Oodai comprising in S.No.188 to ensure river and Chinnapillai Oodai in the original position enable to storage the water in the check dam after reconstruction situated at Siruvachur Village, Attur Taluk, Salem District.

For Petitioner ::: Mr.M.Rajendran

For Respondents::: Mr.Mr.S.T.S.Murthi
Government Pleader
for Mr.V.Shanmughasundar
Government Advocate for R.1 to R.9

O R D E R

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

Admit.

2. Notice which is accepted by the respondents.

3. We had issued notice in this petition, but we are now informed that the very same counsel representing the villagers in the present petition had earlier filed petition on behalf of another set of villagers, who are directly affected, before the learned single Judge, being W.P.No.30306 of 2015, which was disposed of by the learned Single Judge by directing the respondents to deal with the representation within a period of eight weeks.

4. The least that was expected from the same counsel was disclosure of this order. The absence of disclosure naturally conveys the impression to us that having not been able to obtain the full relief in the earlier proceedings to the extent that while the representation was directed to be disposed of, no direction was issued to stop the work, a second endeavour has been made through another representation praying for the same relief in the present proceedings.

5. We thus dismiss the writ petition. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Salem District.
- 2.The Project Officer,
District Rural Development,
Collectorate Campus,
Salem.
- 3.The Executive Engineer,
P.W.D., W.R.O.,
Sarabanga Basin Division,
Namakkal.
- 4.The Executive Engineer,
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District Rural Development,
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Salem.
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Salem District.
- 8.The Block Development Officer,
Thalaivasal Union,
Salem District.

9.The President,
Village Panchayat,
Siruvachur Village,
Attur Taluk,
Salem.

+1cc to M/S.M.Rajendran, Advocate, S.R.No.19567
+1cc to the Government Pleader, S.R.No.19188

W.P.No.8169 of 2016

ppa (CO)
srg (06/04/2016)



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