



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. [MD].No.22878 of 2015
and
M.P. (MD) .Nos.1 and 2 of 2015

Duraikannu

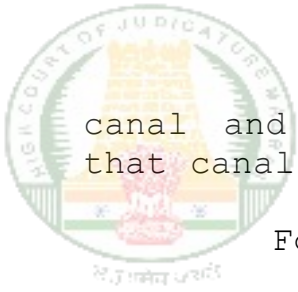
.. Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional officer,
Paramakudi,
Ramanathapuram District.
- 3.The Block Development Officer,
Kadaladi Taluk, Kadaladi,
Ramanathapuram District.
- 4.The Tahsildar,
Kadaladi Taluk, Kadaladi,
Ramanathapuram District.
- 5.The Executive Officer,
Sayalkudi Town Panchayat,
Sayalkudi Kadaladi Taluk,
Ramanathapuram District.
- 6.The Chairman,
Sayalkudi Town Panchayat,
Sayalkudi, Kadaladi Taluk,
Ramanathapuram District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to take action against the respondents 4 to 6 U/s.133 of Cr.P.C. for damaging S.Ilanthaikulam Village tank water



canal and letting Sayalkudi Town Panchayat Drainage water into that canal and polluting S.Illanthaikulam Village water tank.

For Petitioner : Mr.M.Kalamurugappan
for Mr.T.Lajapathi Roy

For respondents : Mr.T.R.Janarthanam
1 to 4 Addl. Government Pleader

For respondents 5 & 6 : Mr.R.Karthikrajan

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Writ Petition seeking a direction to the respondents 1 and 2 to take action against the respondents 4 to 6 under Section 133 of Cr.P.C. on the allegation that they had damaged S.Illanthaikulam Village tank water canal and they have been letting Sayalkudi Town Panchayat drainage water into that canal and thereby, polluting S.Illanthaikulam Village water tank.

2.The Tahsildar, Kadaladi under Letter No.Na.Ka.P.1/15619/2015, dated 18.12.2015, addressed to the Government Pleader has stated that only for the purpose of letting the rain water into Kundaru, a canal has been now made through promboke land. He has further stated in the said letter that no damage has been caused and no drainage water is let into the tank in question.

3. In our considered view, if the petitioner has got any more grievance in this regard, it is for him to work out his remedy before the competent Court, as in this Writ Petition, we cannot resolve the disputed question of fact. This Writ Petition is, therefore, dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

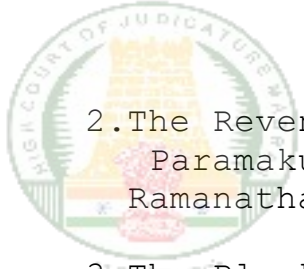
Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To
1.The District Collector,
Ramanathapuram District,

<https://hcservices.ecourts.gov.in/hcservices/>
Ramanathapuram.



2.The Revenue Divisional officer,
Paramakudi,
Ramanathapuram District.

3.The Block Development Officer,
Kadaladi Taluk, Kadaladi,
Ramanathapuram District.

4.The Tahsildar,
Kadaladi Taluk, Kadaladi,
Ramanathapuram District.

5.The Executive Officer,
Sayalkudi Town Panchayat,
Sayalkudi Kadaladi Taluk,
Ramanathapuram District.

6.The Chairman,
Sayalkudi Town Panchayat,
Sayalkudi, Kadaladi Taluk,
Ramanathapuram District.

Order made in
W.P. [MD].No.22878 of 2015
03.11.2016

SMA/GSV-PM/18.11.2016:3P/7C