



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MS. JUSTICE V.M.VELUMANI

W.P. (MD) No.17525 of 2016

M.Ravi

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Divisional Engineer,
Cauveri River Irrigation Division,
Trichy.

3.Arumugam

4.Velu

5.Sankar,

6.Kumar

7.Balusamy

8.Aravindam

9.Thangaponnu

10.Amsavalli

11.Ramesh

12.Dharmaraj

13.Sakthivel

14.Elango

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, declaring the respondents 1 and 2 to remove the encroachment made by the respondents 3 to 14 in Kandi Irrigation Channel (Kandi Vaikkal) Survey No.626, Melur Village, Srirengam Taluk, Trichy District, by considering the petitioner's representation, dated 09.03.2015, 10.03.2015 and 06.07.2015.

For Petitioner

: Mr.T.Lenin Kumar

For Respondents

: Mr.VR.Shanmugam

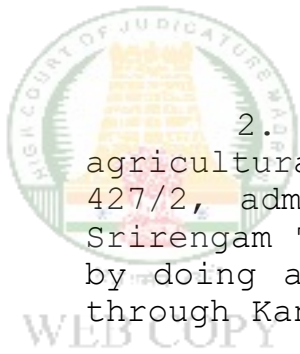
(R1 and R2)

Special Govt.Pleader

ORDER

(Order of this Court was made by **M.SATHYANARAYANAN, J.**)<https://hcservices.ecourts.gov.in/hcservices/>

By consent the Writ Petition is taken up for final disposal.



2. The petitioner claims that he is the owner of the agricultural land comprised in Survey Nos.424, 425, 426, 427/1, 427/2, admeasuring to an extent of 3.75 Acres, at Melur Village, Srirangam Taluk, Trichy District and he is eking out his livelihood by doing agricultural operation. The petitioner was getting water through Kandi Irrigation Channel in his agricultural land.

3. The grievance expressed by him is that the respondents 3 to 14 encroached upon the Kandi Irrigation Channel by dumping soil and as a consequent, not only the petitioner but the other agriculturists also affected and in this regard, he had submitted a representation to the Hon'ble Chief Minister Cell as well as to the Collector of Trichy District, who in turn, forwarded the same to the Executive Engineer, R.C.Division (P.W.D), Trichy, Complaint No.SM/15/03546, dated 09.03.2015 as well as Thasildar Sri Vaikundam in Complaint No.SM/15/12436, dated 06.07.2015 and though more than one year had elapsed, no action has been taken to redress the grievance expressed by him and hence, came forward to file this Writ Petition.

4. The Court heard the submissions of Mr.V.R.Shanmuganathan, the learned Special Government Pleader, who accepts notice on behalf of respondents 1 and 2, would submit that the concerned officials to whom the District Collector has forwarded the representation for appropriate action may be directed to dispose of the same.

5. Though the petitioner prayed for larger relief, this Court, in the above facts and circumstances and without going into the merits of the matter, directs the Tahisldar, Srivaikundam as well as the Divisional Engineer, Cauveri River Irrigation Division, Trichy, to act on the representation of the petitioner, dated 09.03.2015, on merits and in accordance with law, after putting on notice on respondents 3 to 14 and pass orders, within a period of 12 weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as respondents 3 to 14

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

Sd/-

Assistant Registrar ()

/True Copy/

Sub Assistant Registrar

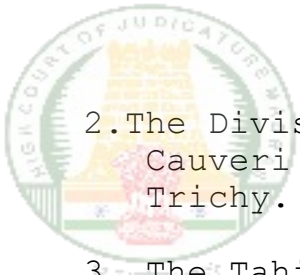
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To

1.The District Collector,
Trichy District,

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

Trichy.



2.The Divisional Engineer,
Cauveri River Irrigation Division,
Trichy.

3. The Tahisldar,
Srivaikundam,
Trichirappalli District.

+1 cc to Mr. T.Lenin Kumar,Advocate, Sr.No: 52995

+1cc to M/S Special Government Pleader, Sr No. 53201

JAM/SKS-RR/23.09.16/ 3P-6C

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