



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.23948 of 2016

P.Krishnan

.. Petitioner

Vs.

- 1.The Secretary to Government,
Rural Development and Panchayatraj,
St. George Fort, Chennai - 600 009.
- 2.The District Collector,
Dindigul District, Dindigul.
- 3.The Assistant Director (Village Panchayat),
Dindigul Collectorate Campus,
Dindigul District.
- 4.The Revenue Divisional Officer,
Dindigul, Dindigul District.
- 5.The Tahsildar,
Nilakottai Taluk,
Dindigul District.
- 6.The Commissioner,
Nilakottai Panchayat Union,
Nilakottai, Dindigul District.
- 7.The Block Development Officer
(Village Panchayat),
Nilakottai Taluk, Dindigul District.
- 8.The Village Administrative Officer,
Oruthattu Village,
Nilakottai Taluk, Dindigul District.
- 9.Sankar
- 10.Selvam

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the
<https://hcservices.ecourts.gov.in/hcservices/> India praying for the issuance of a Writ of
Mandamus directing the respondents 1 to 8 to take immediate action



and restore the Sillodai which starts from Survey Numbers 523/7 and travels through Survey Nos.525/3, 527/9, 561, 566/1 and finally joins Periya Oodai in Survey No.576, by considering the petitioner's representation dated 24.10.2016 after affording opportunity to the 9th and 10th respondents.

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For Petitioner : Mr.Niranjana S.Kumar

For Respondents : Mr.M.Govindan,
1,2,4,5 and 8 Special Government Pleader.

For Respondent No.3 : Mr.A.Muthukaruppan,
Additional Government Pleader.

For Respondents 6 and 7 : Mr.K.Guru,
Additional Government Pleader.

ORDER

[Order of the Court was made by A.SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 8 to restore Sillodai which starts from Survey No.523/7 and travels through Survey Nos. 525/3, 527/9, 561, 566/1 and finally joins in Periya Oodai in Survey No.576, by way of issuing a writ of mandamus.

2.It is averred in the petition that in Oruthattu Village, Nilakottai Taluk, Dindigul District, a runnel is in existence known as Sillodai and it starts from Survey No.523/7 and passes through Survey Nos.525/3, 527/9, 561, 566/1 and finally joins in Periya Oodai in Survey No.576. Further it is averred in the petition that the respondents 9 and 10 have made certain encroachments and formed road across the runnel. Under the said circumstances, free flow of water is being obstructed and the petitioner has given a representation dated 24.10.2016 to the respondents 1 to 8. But no action has been taken by the respondents 1 to 8 and therefore the present writ petition has been filed for getting the relief sought therein.

3.The learned counsel appearing for the petitioner has advanced his argument on the basis of the averments made in the petition. Further it is seen from the records that in Oruthattu Village, a runnel by name Sillodai starts from Survey No.523/7 and runs through Survey Nos. 525/3, 527/9, 561, 566/1 and finally joins in Periya Oodai in Survey No.576.



4.The main contention putforth on the side of the petitioner is that the respondents 9 and 10 have caused certain obstructions and therefore free flow of water is being restricted. Further it is seen from the records that on 24.10.2016 a representation has been given to the respondents 1 to 8.

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5.Considering the fact that in the survey numbers mentioned in the petition a runnel is in existence and also considering the allegations made by the petitioner against the respondents 9 and 10, this Court is of the view to pass the following order.

6.In fine, this writ petition is allowed without costs and the concerned respondents are strictly directed to look into the representation dated 24.10.2016 and pass suitable orders after giving proper opportunity to the respondents 9 and 10 within a period of three months.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary to Government,
Rural Development and Panchayatraj Department,
St. George Fort, Chennai - 600 009.
 - 2.The District Collector,
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 - 4.The Revenue Divisional Officer,
Dindigul, Dindigul District.
 - 5.The Tahsildar, Nilakottai Taluk,
Dindigul District.
 - 6.The Commissioner, Nilakottai Panchayat Union,
Nilakottai, Dindigul District.
 - 7.The Block Development Officer
(Village Panchayat),
Nilakottai Taluk, Dindigul District.
 - 8.The Village Administrative Officer,
Oruthattu Village,
Nilakottai Taluk, Dindigul District.
- +2ccs to Mr.Niranjan S.Kumar, Advocate, SR.Nos.80772 and 80677
+One cc to The Special Government Pleader, SR.No.80902
smn