



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2016

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition(MD)No.4171 of 2016

and

W.M.P (MD)No.3750 of 2016

J.Subbulakshmi

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Assistant Director of Panchayat,
Collectorate,
Kokkirakulam,
Tirunelveli.

3. The Block Development Officer,
Panchayat Union office,
Melaneelithanallur,
Gurukkalpatti - via,
Sankarankovil Taluk,
Tirunelveli District.

4. The President,
Ko.Maruthappapuram Panchayat,
Ko.Maruthappapuram,
Sankarankovil Taluk,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing these respondents to restore and reconstruct the drainage canal in the east west street of this petitioner house with door No.62 by connecting this house drainage system into public drainage system, by removing the obstructions and by forming connecting canal.

For Petitioner

: Mr.F.X.Eugene

For Respondent

: Mr.K.Maheshraja

**ORDER**

The petitioner seeks for a Mandamus directing the respondents to restore and reconstruct the drainage canal in the east west street of this petitioner's house with door No.62, by connecting this house drainage system into public drainage system, by removing the obstructions and by forming connecting canal.

2. Mr.K.Mahesh Raja, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.K.P.Krishnadass, learned Government Advocate takes notice for the respondents 3 and 4.

3. By consent, the writ petition itself is taken up for final disposal.

4. After some elaborate arguments, the learned counsel appearing on behalf of the petitioner submitted that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. In view of the limited scope of the prayer, without expressing any opinion on the merits of the issue involved, since the petitioner has made representation to the respondents 1 and 2, who in turn forwarded the same to the 3rd respondent, the 3rd respondent is directed to pass appropriate orders on the representation of the petitioner dated 30.07.2013 on merits and in accordance with law, after giving notice to the interested parties, if any, within a period of four months from the date of receipt of a copy of this order. This order should not be construed as giving any positive direction to the 3rd respondent and the 3rd respondent shall pass orders, independently, depending on the facts and circumstances of the case.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Assistant Director of Panchayat,
Collectorate,
Kokkirakulam,
Tirunelveli.

3. The Block Development Officer,
Panchayat Union office,
Melaneelithanallur,
Gurukkalpatti - via,
Sankarankovil Taluk,
Tirunelveli District.

4. The President,
Ko.Maruthappapuram Panchayat,
Ko.Maruthappapuram,
Sankarankovil Taluk,
Tirunelveli District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 12126
+ 1 CC TO M/S.FX.EUGENE, ADVOCATE IN SR NO. 11814

SKN

TE/NGM-SS/ : 08/03/2016 : 3P/7C

Writ Petition (MD) No.4171 of 2016
and
W.M.P (MD) No.3750 of 2016
01.03.2016