

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.16064 of 2017 &
W.M.P. No.17348 of 2017

B. Thirunavukarasu

... Petitioner

Vs.

1. The District Collector,
Thiruvallur.

2. The Tahsildar,
Revenue Department,
Poonamallee.

3. The Executive Engineer,
TWAD Board,
Rural Water Supply Division,
7, Santhanam Avenue,
V.M.Nagar, Thiruvallur.

4. Sekar

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents 1 to 3 to take action against the 4th respondent for illegally extracting, transporting and selling ground water, extracted from S.No. 199/1, (D2, Plot No. 10, 11) S.No. 209/1, Chembarakkam Village, Thiruvallur District, for commercial purposes.

For Petitioner : Mr.V. Lakshminarayanan
For Respondent : Mr.S.N. Parthasarathy,
Government Advocate.

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents 1 to 3 to take action against the 4th respondent for illegally extracting, transporting and selling ground water, extracted from S.No. 199/1, (D2, Plot No. 10, 11) S.No. 209/1, Chembarakkam Village, Thiruvallur District, for commercial purposes.

2.Mr. V.Lakshminarayanan, learned counsel appearing for the petitioner submitted that the 4th respondent is drawing ground

water from the said land for commercial purposes and therefore, the petitioner has given a representation to the respondents 1 to 3 to take action against the 4th respondent, which has not yet been considered by the official respondents.

3.Mr.S.N.Parathasarathy, learned Government Advocate taking notice for the respondents 1 to 3 submitted that the respondents 1 to 3 may be directed to consider the petitioner's representation dated 27.03.2017, in accordance with law, after giving notice to the 4th respondent.

4.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the respondents 1 to 3 to consider the petitioner's representation dated 27.03.2017 for taking action against the 4th respondent and pass orders, after giving notice to the 4th respondent, within a period of four weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Rj/nl

To

1. The District Collector,
Thiruvallur.
2. The Tahsildar, Revenue Department,
Poonamallee,
3. The Executive Engineer,
TWAD Board,
Rural Water Supply Division,
7, Santhanam Avenue,
V.M.Nagar, Thiruvallur.

+lcc to M/s.V.Raghavachar, Advocate SR.No.45102

+lcc to Government Pleader SR.No.45792

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RK(CO)
GN(17/07/2017)