

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH
and
THE HON'BLE Mr. JUSTICE M.SUNDAR

W.P.No.27607 of 2017
and
W.M.P.No.29530 of 2017

K.R.Duraisamy

Vs.

.. Petitioner

1.The District Collector,
Namakkal, Namakkal District.

2.The District Revenue Officer,
Namakkal, Namakkal District.

3.Tahsildar,
Namakkal, Namakkal District.

4.Block Development Officer,
Puduchatram, Namakkal District.

5.Assistant Director,
Land Survey Department,
Namakkal.

6.Joint Engineer,
Pudanchandai Electricity Sub
Division,
Tamil Nadu Electricity Board,
Pudanchandai, Namakkal District.

7.Assistant Engineer,
Pudanchandai Electricity Sub
Division,
Tamil Nadu Electricity Board,
Pudanchandai, Namakkal District.

8.Murugan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing respondents 5 and 6 to take necessary action in the manner known

to law in respect of giving electricity service connection to bore well put by the 8th respondent in encroached poramboke land bearing Survey No.97/3k after the survey of land and boundaries fixed by the 3rd and 5th respondents pursuant to Na.Ka.No.18764/2017/L3 dated 27.07.2017 by the first respondent.

For Petitioner : Mr.G.Murugendran

For Respondents : Mr.R.Vijayakumar,
Addl. Govt. Pleader for R1 to R5

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This public interest litigation has been filed, seeking a direction to respondents 5 and 6 to take necessary action in the manner known to law in respect of giving electricity service connection to bore well put by the 8th respondent in encroached poramboke land bearing Survey No.97/3k after the survey of land and boundaries fixed by the 3rd and 5th respondents pursuant to Na.Ka.No.18764/2017/L3 dated 27.07.2017 by the first respondent.

2.The petitioner along with others made a representation to the first respondent on 17.07.2017. In the said representation, two requests have been made. One is with respect to the removal of encroachment in a burial ground belonging to the Government situated in Survey No.101/1, Kondampatti Village, Karadipatti Post, Namakkal District. The other is with respect to the bore well put up by the 8th respondent. On receipt of the representation, the first respondent in and by the proceedings in Na.Ka.No.18764/2017/L3 dated 27.07.2017 has directed the Revenue Divisional Officer, Namakkal to take appropriate action.

3.Now the grievance of the petitioner is that respondents 6 and 7 are in the process of giving electricity service connection to the borewell of the 8th respondent. Therefore, when an enquiry is pending, they should not be allowed to give service connection.

4.Considering the submissions made and taking note of the pendency of the representation before the Revenue Divisional Officer, Namakkal, as directed by the first respondent, we call upon the Revenue Divisional Officer, Namakkal to pass appropriate orders on the representation of the petitioner, pursuant to the proceedings of the first respondent dated 27.07.2017, within a period of eight weeks from the date of receipt of a copy of this order, after due notice to the petitioner and the eighth respondent.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

mmi

To

1. The District Collector,
Namakkal, Namakkal District.
2. The District Revenue Officer,
Namakkal, Namakkal District.
3. The Tahsildar,
Namakkal, Namakkal District.
4. The Block Development Officer,
Puduchatram, Namakkal District.
5. The Assistant Director,
Land Survey Department,
Namakkal.
6. The Joint Engineer,
Pudanchandai Electricity Sub
Division,
Tamil Nadu Electricity Board,
Pudanchandai, Namakkal District.
7. The Assistant Engineer,
Pudanchandai Electricity Sub
Division,
Tamil Nadu Electricity Board,
Pudanchandai, Namakkal District.

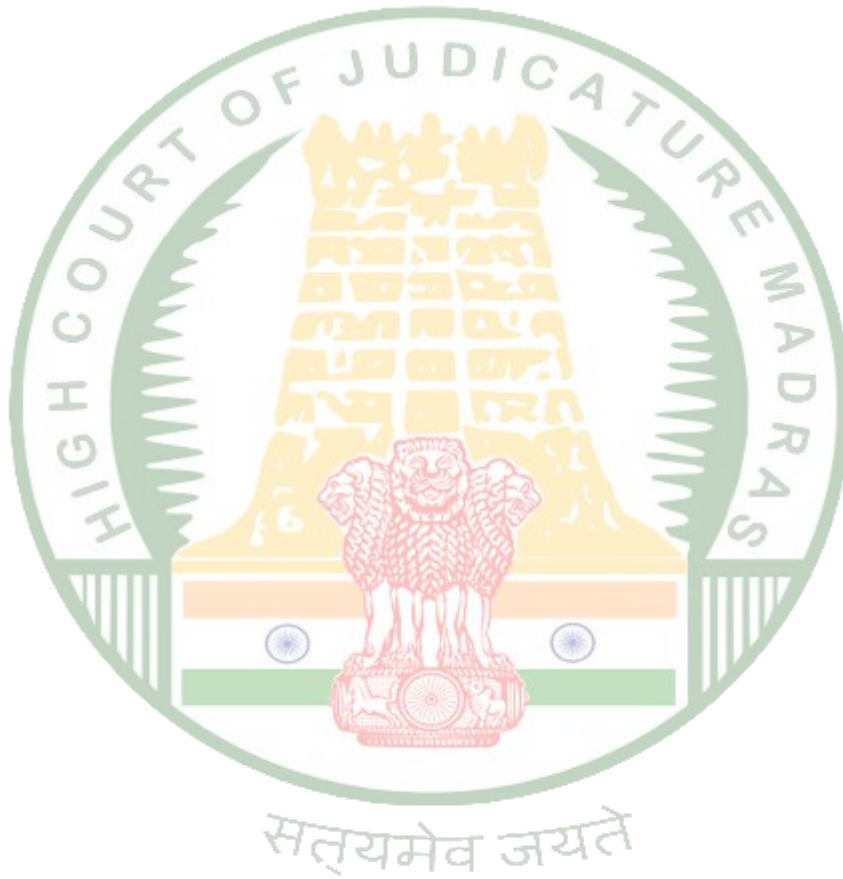
Copy to

The Revenue Divisional officer
Namakkal, Namakkal District.

+1 Cc to Mr.G. Murugendran, advocate sr 76135.
+1 CC to Govt. Pleader sr 76231.

W.P.No.27607 of 2017

SP(10/11/2017)



WEB COPY