

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.18711 of 2017

K.Satheesh

... Petitioner

Vs.

1.The District Collector
Villupuram Collector's Office
Villupuram

2.The Tahsildar
Vikravandi Taluk
Villupuram District

3.Block Development Officer
Kaanai
Vikravandi Taluk
Villupuram District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to measure the temple tank and its shore and put up fencing around the temple tank and its shore situated in Survey No.64, Arumpuli Village, Vikravandi Taluk, Villupuram District.

For Petitioner : Mr.K.Gajendiran

For Respondents : Mr.E.Balamurugan
Additional Government Pleader
for R1 & R2

Ms.M.Lalitha - for R3

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O R D E R

Mr.E.Balamurugan, learned Additional Government Pleader, takes notice for the respondents 1 and 2 and Ms.M.Lalitha, learned counsel, takes notice for the 3rd respondent. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the respondents to measure the temple tank and its shore and put up fencing

around the temple tank and its shore situated in Survey No.64, Arumpuli Village, Vikravandi Taluk, Villupuram District..

3. Earlier, the petitioner filed a writ petition in W.P.No.4714 of 2016 to issue a writ of mandamus to direct the respondents therein viz., the the Tahsildar and the Block Development Officer, to put up fencing around the temple tank and its shore situated in Survey No.64, Arumpuli Village, Vikravandi Taluk, Villupuram District. This court, by order dated 04.03.2016, disposed of the writ petition, by giving liberty to the petitioner to submit a fresh representation to the Block Development Officer, who is the 3rd respondent in the present writ petition, within a period of one week and also directed the Block Development Officer to pass orders on the petitioner's representation within a period of four weeks, from the date of the submission of the representation.

4. The learned counsel appearing for the petitioner submitted that the third respondent has not considered the petitioner's representation and passed any orders so far.

5. In such a case, the petitioner should have filed a contempt petition against the respondents and not a separate writ petition seeking for the very same relief sought for in the earlier writ petition. In such view of the matter, the writ petition is liable to be dismissed. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

Rj

To

1.The District Collector
Villupuram Collector's Office
Villupuram

2.The Tahsildar
Vikravandi Taluk
Villupuram District

3.The Block Development Officer
Kaanai, Vikravandi Taluk
Villupuram District

+1cc to Mr.K.Gajendiran, Advocate, S.R.No.51764

W.P.No.18711 of 2017

BR (CO)
CA(07/08/2017)