



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :15.03.2017

WEB COPY

CORAM
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.9803 of 2014

N.Sakthivel

... Petitioner

Vs.

The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Palani Sub-Division,
Dindigul District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 21.05.2014 and grant permission to take fertile soil from the Ayyambuli waterbody, Ayyambuli Village, Palani Taluk, Dindigul District to the petitioner.

For Petitioner : Mr.P.Muthusamy
For Respondent : Mr.G.Muthukannan
Government Advocate

ORDER

This writ petition has been filed praying for a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 21.05.2014 and grant permission to take fertile soil from Ayyambuli waterbody, Ayyambuli Village, Palani Taluk, Dindigul District to the petitioner.

2. By consent, this writ petition is taken up for final disposal.

3. The petitioner would aver among other things that he is having vast lands referred to in the writ petition. Since the soil of the petitioner is not fit for agricultural activities, the petitioner wants permission to take fertile soil from Ayyambuli waterbody, Ayyambuli Village, Palani Taluk, Dindigul District to the petitioner's land. In this regard, though the respondent allowed to take the soil for 13 days, it is stated by the petitioner that due to climatic conditions, he could not excavate the soil. Therefore, the petitioner approached the respondent in person along with



representation on 12.05.2014 followed by another representation dated 21.05.2014 through registered post and the same is pending for consideration and hence, the petitioner is before this Court.

WEB COPY 4. In view of the above, without advertting into the merits of the case and if the request of the petitioner is a genuine one, the respondent is directed to consider the representation of the petitioner dated 21.05.2014 on merits and in accordance with law, and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

ssm

To,

The Assistant Executive Engineer,
Public Works Department, Water Resources Organisation,
Palani Sub-Division, Dindigul District.

AM SV MMS/24/03/2017

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