



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 07.06.2017

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WEB COPY

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P(MD)No.10590 of 2017

Palanisamy

..Petitioner

Vs

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Collector Office,
Karur.

3.The Tahsildar,
Taluk Office,
Aravakurichi,
Karur District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to dispose of the representation of the Petitioner dated 29.4.2017 seeking permission to dig a well in the Petitioner's agricultural land in S.No.191/A to an extent of 3.2 hectare of land situated at D.Vengatapuram Village, Aravakurichi Taluk, Karur District within the time frame fixed by this Court.

For Petitioner : M/s.S.Gokul Raj

For Respondents : Mr.D.Muruganandam
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to dispose of the representation of the Petitioner dated 29.4.2017 seeking permission to dig a well in the Petitioner's agricultural land in S.No.191/A to an extent of 3.2 hectare of land situated at D.Vengatapuram Village, Aravakurichi Taluk, Karur District within the time frame fixed by this Court.

2.Mr.D.Muruganandam, learned Additional Government Pleader takes notice for the respondents.

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3.By consent of both parties, the main Writ Petition is taken

up for disposal, at the admission stage itself.

4.The case of the Petitioner is that he owns lands in S.No.191/A, to an extent of 3.24 hectares in D.Vengatapuram Village, Aravakurichi Taluk, Karur District. He wanted to dig a well in his land for agricultural purpose and approached the third respondent/The Tahsildar, Aravakurichi, Karur District seeking permission and also submitted a representation on 29.4.2017. Since no favourable orders was passed, the present Writ Petition is filed.

5.Mr.S.Gokul Raj, learned counsel for the Petitioner would submit that in similar circumstances, this Court, earlier in W.P.o.20089 of 2016 and W.P.No.227 of 2017, granted permission to the agriculturists to dig the well.

6.The learned Additional Government Pleader appearing for the respondents would submit that under the guise of digging the well, agriculturists including the Petitioner are indulging in collecting Gem Stones and with the aid of this order, they are threatening the officials concerned.

7.Considering the facts of this case and the submission of the learned counsel, this court, in order to meet the ends of justice, permits the petitioner to dig well in his land in Survey No.191/A of D.Vengatapuram village, for agricultural purpose. However, the petitioner should not use it for any other purpose and if there is violation of any of the provisions of law, the respondents/authorities concerned are at liberty to take action against the petitioner in the manner known to law. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Collector Office,
Karur.
- 3.The Tahsildar,
Taluk Office,
Aravakurichi,
Karur District.

+1cc to SPECIAL GOVERNMENT PLEADER in SR. No.59238

+1cc to M/s. S.GOKULRAJ Advocate in SR. No.58916

VSN

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JS/KKR/SAR.1/9.6.2017/2P-6C

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