



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.1218 of 2017

S.Devadhas

.. Petitioner

Vs.

- 1.The District Collector,
Nagercoil, Kanyakumari District.
- 2.The District Pollution Control Engineer,
Tamil Nadu Pollution Control Board,
Nagercoil, Kanyakumari District.
- 3.The District Forest Officer,
Nagercoil, Kanyakumari District.
- 4.The Tahsildar, Nagercoil,
Kanyakumari District.
- 5.The Panchayat President,
Mangodu Village Panchayat,
Melpuram Union, Vellachippara (P.O),
Kanyakumari District.

6.S.Ajikumar

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first to fifth respondents to consider the petitioner's representation dated 24.09.2014 to take necessary action to stop the sixth respondent company namely Fabby Packaged Drinking Water taking ground water for commercial purpose situated at Resurvey No.493/13, Mancode Village, Arumanai Firka, Melpuram Block, Vilavanvode Taluk, Kanyakumari District and pass such further or other orders.

For Petitioner

: Mr.J.Vijayaraja

For Respondents 1 to 4

: Mr.M.Govindan,
Special Government Pleader.



For Respondent 5

: No appearance

For Respondent 6

: Mr.R.Subramanian

WEB COPY

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 5 to stop the sixth respondent from taking drinking water in Resurvey No.493/13, Mancode Village, Arumanai Firka, Melpuram Block, Vilavanvode Taluk, Kanyakumari District, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that the sixth respondent is illegally taking water in Resurvey No.493/13. Under the said circumstances, a representation has been given on 24.09.2014. But the same has not been considered and therefore the present Writ Petition has been filed for getting the relief sought therein.

3.It is seen from the records that on 24.09.2014 a representation has been given to the concerned authorities, but the same has not been considered. Under the said circumstances, this Court is inclined to pass the following order.

4.In fine, this writ petition is allowed in part without costs and the first respondent viz., the District Collector, Nagercoil, Kanyakumari District is directed to look into the representation dated 24.09.2014 and dispose of the same within a period of 15 days. If such representation is not found place, the petitioner is directed to give a fresh representation.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

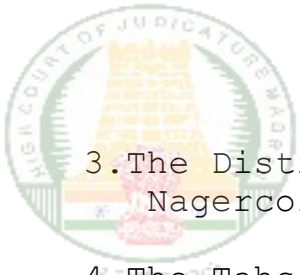
Sub Assistant Registrar

ps

To

1.The District Collector, Nagercoil,
Kanyakumari District.

2.The District Pollution Control Engineer,
Pollution Control Board,
Nagercoil, Kanyakumari District.



3.The District Forest Officer,
Nagercoil, Kanyakumari District.

4.The Tahsildar, Nagercoil,
Kanyakumari District.

+1CC to Mr.J.Vijaya Raja Advocate Sr.No.12571
+1CC to Mr.R.Subramanian, Advocate Sr.No.12765

GJM/PM/SAR-3-9.3.17-3p-7c

ORDER MADE IN
W.P (MD) No.1218 of 2017
06.03.2017