



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.08.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.[MD].No.13116 of 2017
and
W.M.P.[MD]No.10187 of 2017

Mr.Chinnanan

... Petitioner

Vs.

1. The District Collector,
Sivagangai,
Sivagangai District.
2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
3. The Tahsildar,
Tirupatthur,
Sivagangai District.
4. The Block Development Officer,
Tirupatthur,
Sivagangai District.

5.Krishnappan
6.Gnanambal

... Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of mandamus, directing the respondents 1 to 3 to take appropriate and necessary steps to start "Water ATM" project in Sirukudalpatti Village, Tirupathur Taluk, Sivagangai District as scheduled on 25.07.2017 and to ensure that good and pure drinking water is supplied to the Villagers in and around Sirukudalpatti, Sennalkudi and Kumarapettai Village.

For Petitioner : Mr.AL.Kannan



O R D E R

[Order of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The Writ petitioner seeks a direction for directing the respondents 1 to 3 to take appropriate and necessary steps to start (Water ATM) project in Sriukudalpatti village, Tirupathur Taluk, Sivagangai District.

2.No doubt, the object of the writ petitioner is laudable. But there is an impediment. The property in question does not absolutely belong to the writ petitioner. The sixth respondent is also a co-owner. Therefore, the property in which the sixth respondent is having common interest cannot be unilaterally given away by the writ petitioner in favour of the project which is no doubt laudable.

3.It appears that there is a civil dispute pending between the petitioner and the sixth respondent. The learned counsel for the writ petitioner would submit that the six respondent gave consent for starting the project. But the sixth respondent did not appear before this Court to express her concurrence. Therefore, it is not possible for this Court to grant the relief sought for by the writ petitioner.

4.Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Sivagangai,
Sivagangai District.
2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
3. The Tahsildar,
Tirupatthur,
Sivagangai District.



4. The Block Development Officer,
Tirupatthur,
Sivagangai District.

+1 cc to Mr.AL.Kannan , Advocate in SR.No. 72836

WEB COPY

gsp/smi

AE/MR KKR/SAR4/19.09.2017/3P/6C

W.P.[MD].No.13116 of 2017
11.08.2017