



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.13168 of 2017

and

W.M.P. (MD) .Nos.10241 and 10242 of 2017

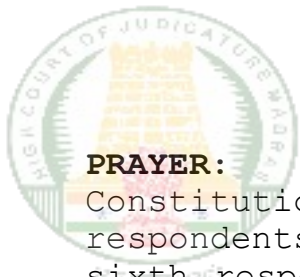
A.Rengasamy

: Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
NPKRR Maaligai,
No.144, Anna Salai,
Chennai.
2. The Superintendent Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
NRT Nagar, Theni.
3. The Executive Engineer,
Public Works Department,
Periakulam,
Theni District.
4. The District Collector,
O/o.The District Collectorate,
Theni District.
5. The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited,
Madhurapuri, Periakulam Taluk,
Theni District.
6. Mrs.P.Vijayalakshmi,
W/o.Mr.O.Pannerselvam,
South Agraharam,
Thenkarai, Periakulam
Theni District.

: Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to disconnect the electricity connection granted to the sixth respondent to her lands in Survey No.3053/2B to an extent of 18 cents situated at Tamaraikulam Village (Revenue), Lakshmipuram, Periakulam Taluk, Theni District.

For Petitioner	: Mr.T.Lajapathi Roy
For Respondents, 1,2&5	: Mrs.Rajeswari, For Mr.S.M.S.Johnny Basha
For Respondents 3&4	: Mr.T.S.Mohamed Mohideen, Additional Government Pleader
For Respondent No.6	: Mr.S.Meenakshi Sundaram, Senior Counsel, For Mr.N.GA.Natraj

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The petitioner filed this Writ Petition to direct the respondents 1 to 5 to disconnect the electricity connection granted to the sixth respondent to take water from her Well in the land in Survey No.3053/2B, having an extent of 18 cents, situated at Tamaraikulam Village (Revenue), Lakshmipuram, Periakulam Taluk, Theni District.

2. It is a case of the petitioner that the sixth respondent is the wife of the former Chief Minister of Tamil Nadu. The sixth respondent appears to have purchased 18 cents of land and a Well was dug in the said property. The Villagers are aggrieved that on account of the extraction of water from the Well, they are not getting sufficient water for their agricultural and other needs. The petitioner, therefore, filed this Writ Petition primarily for the purpose of preventing the sixth respondent from extracting water from the Well and to take it to her farm house situated elsewhere.

3. Since a public interest was projected by the petitioner, we issued notice to the respondents and more particularly, to the District Collector, Theni District. The District Collector was directed to file a report after inspecting the Well in question. The District Collector, Theni District, submitted his report after inspecting the Well.

4. While so, the sixth respondent assigned the property to one Subburaj. The said Subburaj, in turn, gifted the Well and the adjoining land to the Government of Tamil Nadu and executed a document dated 21 August 2017. The document was registered as Document No.1340 of 2017.



5. In view of the subsequent events relating to the gift of land and the Well to the petitioner and the other Villagers of Lakshmipuram, nothing survives for adjudication.

6. The learned counsel for the petitioner opposed the report submitted by the District Collector. We are not giving any seal of approval to the report submitted by the District Collector. The legal issue raised by the petitioner would be decided in an appropriate case.

7. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To:

1. The Executive Engineer,
Public Works Department,
Periakulam, Theni District.
2. The District Collector,
O/o.The District Collectorate,
Theni District.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 74322
+ 1 CC TO Mr.N.GA.NATARAJ, ADVOCATE IN SR No. 74398
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74701

SML/KM

TE/KP/SAR-II : 06/09/2017 : 3P/6C

Order made in
W.P. (MD) No.13168 of 2017 and
W.M.P. (MD) .Nos.10241 and 10242 of 2017
Dated: 23.08.2017