



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.14466 of 2017
and
W.M.P. (MD) .Nos.11340 and 11341 of 2017

N.Periyasamy .. Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Executive Engineer,
Public Works Department,
Nanganjiyar Basin Division,
Palani, Dindigul District.

3.Pappathi .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take necessary steps to ensure the free movement of agricultural vehicles over the pathway on the bank of Sadayankulam Tank to the cultivating lands in public of Kappiliyapatti Village, Oddanchatram Taluk, Dindigul District based on the representation of the petitioner dated 27.07.2017.

For petitioner	: Mr.Meenakshi Sundaram Senior Counsel for P.Mahendran
For R-1 and R-2	: Mr.M.Govindan Special Government Pleader
For R-3	: No Appearance

O R D E R

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

The petitioner seeks direction for directing the respondents to take necessary steps to enable the writ petitioner to take his agricultural vehicles over the pathway on the bank of



Sadayankulam Tank to the cultivating lands. He gave a representation dated 28.07.2017 in this regard.

2. The writ petitioner made one Pappathi as third respondent in this writ petition. The said Pappathi had earlier filed W.P(MD).No.4107 of 2017 for directing the authorities to take steps to prevent such movements.

3. This Court directs the second respondent to consider the writ petitioner's representation dated 28.07.2017 and take a decision in accordance with law. Before doing so, the second respondent shall issue notice to the third respondent and finalise the matter only after hearing both the parties. The second respondent shall pass appropriate orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To:

1.The District Collector,
Dindigul District, Dindigul.

2.The Executive Engineer,
Public Works Department,
Nanganjiyar Basin Division,
Palani, Dindigul District.

+One cc to Mr.P.Mahendran, Advocate, SR.No.74315
+One cc to The Special Government Pleader, SR.No.84508

km
RL/5C/2P/SV/MMS/SAR1/14/9/2017

ORDER MADE IN