



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

W.P (MD) No.15881 of 2017

N.Shanmuganathan

.. Petitioner

Vs.

1.The District Collector,  
Thoothukudi District,  
Thoothukudi.

2.The Special Officer-cum-Block Development Officer  
(Village Panchayat),  
V.Aathichanallur Village Panchayat,  
Puthukudi, Srivaikundam,  
Thoothukudi District.

3.The Inspector of Police,  
Srivaikundam Police Station,  
Thoothukudi District.

.. 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 respondents 1 and 2 to consider the petitioner's representation dated 17.04.2017 and to pass appropriate order to enable the petitioner to transport water from patta land in Sy.No.65/1C, V.Athichanallur Village, Srivaikundam Panchayat Union, Thoothukudi District to Sri Subramania Swamy Temple, Thiruchendur, within the time stipulated by this Court.

For Petitioner : M/s.M.Viji

For Respondents 1 and 3 : Mr.S.Kumar,  
Additional Government Pleader.

For Respondent No.2 : Mr.T.S.Mohamed Mohideen

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 1 and 2 to permit the petitioner to transport water from patta land in Survey No.65/1C, V.Athichanallur Village, Srivaikundam Panchayat Union, Thoothukudi District to Sri Subramania Swamy Temple, Thiruchendur, based on his representation dated 17.04.2017, within the time stipulated by this Court.



2. Heard both sides.

3. The case of the petitioner is that he settled his property situated in Survey No.65/1C, V.Athichanallur Village, Srivaikundam Panchayat Union, Thoothukudi District, to his wife, namely, Santhi and after getting permission from the second respondent, he dug a hand bore well in the said property. He made a representation dated 17.04.2017, to the respondents 1 and 2, seeking to transport water from the said property to Sri Subramania Swamy Temple, Thiruchendur and the same has not been considered so far. Therefore, the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner, dated 17.04.2017, is disposed of by the respondents 1 and 2 as per law.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 and 2 to consider the representation of the petitioner, dated 17.04.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector, Thoothukudi District,  
Thoothukudi.

2. The Special Officer-cum-Block Development Officer  
(Village Panchayat),

V.Aathichanallur Village Panchayat, Puthukudi, Srivaikundam,  
Thoothukudi District.

3. The Inspector of Police,  
Srivaikundam Police Station, Thoothukudi District.

+One cc to M/s.M.Viji, Advocate, SR.No.77101

+One cc to M/s.T.S.Mohamemd Mohideen, Advocate, SR.No.77261

+One cc to The Special Government Pleader, SR.No.77697

smn

<https://hcservices.courts.gov.in/cases> 15/9/2017

ORDER MADE IN

W.P (MD) No.15881 of 2017

06.09.2017