



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P.(MD) No.18461 of 2017 andW.M.P.(MD) No.14888 of 2017

M.Jayapandi

... Petitioner

-vs-

1. The Revenue Divisional Officer,
Palani, Dindigul District.

2. The Sub Collector-cum-Land Acquisition Officer,
Villupuram-Dindigul, Double Brad Gage,
Palani, Dindigul District.

3. The Executive Engineer,
Public Works Department,
Dindigul.

4. The Tahsildar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to forbear the respondents from closing the petitioner's well and acquiring other Punchai Lands situated in S.No.596 (1.28.50 Hectares), S.No.597 (7.80.00 Hectares) and S.No. 598 (3.28.00 Hectares) Ayyalure Village, Vedasandur Taluk, Dindigul District and further direct the respondents not to disturb the petitioner's lands in anyway and pass such order as this Honble Court.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.T.S.Mohammed Mohideen
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to forbear the respondents from closing the petitioner's well and acquiring other Punchai Lands situated in S.No.596 (1.28.50 Hectares), S.No.597 (7.80.00 Hectares) and S.No. 598 (3.28.00 Hectares) Ayyalure Village, Vedasandur Taluk, Dindigul District and further direct the respondents not to disturb the petitioner's lands.



2. Heard the learned counsel on either side.

3. It is the case of the petitioner that there is a well in S.No.598, from which, he has been drawing water for the purpose of irrigation and the respondents 1 & 2 have already acquired his 21 cents of lands in S.No.599 for laying double broad gauge line between Villupuram and Dindigul and the contractors of the said scheme are now planning to close the well situated in S.No.98, which is the only source for providing water to his agricultural lands and also attempting to acquire other lands situated in S.Nos.596 to 598, belonging to him. It is the further case of the petitioner that when the respondents 1 and 2 had not given any compensation in respect of the land already acquired in S.No.599, their attempt to acquire other lands and close the well is highly arbitrary and the same will cause irreparable loss to him. Though the petitioner has submitted a representation dated 22.09.2017 to the concerned respondents in this regard, no action has yet been taken by the respondents. Hence, the petitioner is before this Court with the above prayer.

4. At this juncture, the learned Additional Government Pleader appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and suitable orders passed.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 22.09.2017 and pass appropriate orders thereon on its own merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. It is made clear that in case the respondents had not commenced acquisition proceedings in respect of the survey numbers of the property belonging to the petitioner, status quo has to be maintained till passing orders on his representation.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar.

To:

<https://hcservices.ecourts.gov.in/hcservices/>

1. The Revenue Divisional Officer,
Palani, Dindigul District.



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4. The Tahsildar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

+1CC to Mr.G.Gomathi Sankar, Advocate, SR.No.81631

+1CC to the Special Government Pleader SR.No. 81775

W.P. (MD) No.18461 of 2017
05.10.2017

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