



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.10.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P (MD) No.19028 of 2017

A.G.M.Yusuf

... Petitioner

-vs-

1. The District Collector,
Thoothukudi District.

2. The Block Development Officer,
Kayathar Panchayat Union,
Kayathar, Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 08.08.2017 and consequently direct the 2nd respondent to take necessary action by inspecting the godown and duly instruct to construct compound wall encircling the godown situated in S.No.541 to prevent spreading of polythene bags in the nearby patta lands.

For Petitioner	: Mr.R.Senthil Kumar
For Respondents	: Mr.J.Gunaseelan Muthiah Govt. Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondents to consider the representation of the petitioner dated 08.08.2017 and direct the 2nd respondent to take necessary action by inspecting the godown and instructing to construct a compound wall, encircling the godown situated in S.No.541 to prevent spreading of polythene bags in the nearby patta lands.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents. By consent on either side, the writ petition itself is taken up for final disposal at the admission stage.

3. The case of the petitioner is that there is a godown for depositing the polythene bags, adjacent to his property and pursuant to non existence of any compound wall around the said godown, the polythene bags are getting spread all over his fertile land, thereby obstructing the water flow to the crops. The petitioner has already submitted a representation dated 08.08.2017



to the 2nd respondent in this regard and since the same has not been considered so far, the petitioner is before this Court with the above prayer.

4. The learned Government Advocate would submit that if a reasonable time is granted to the 2nd respondent, the representation of the petitioner will be considered and suitable orders passed.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the 2nd respondent to consider the representation of the petitioner dated 08.08.2017 and pass appropriate orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Thoothukudi District.
2. The Block Development Officer,
Kayathar Panchayat Union,
Kayathar, Thoothukudi District.

+ 1 CC TO MR.R.Senthil Kumar, ADVOCATE IN SR No.82491

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.82929

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MK/JC/SAR-2/31.10.2017/2P/5C

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