



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.1978 of 2017

and

WMP (MD) No.1639 of 2017

Mohammed Rakfi

... Petitioner

Vs.

1.The District Collector
Pudukkottai District.2.The Divisional Engineer,
Highways Department,
Pudukkottai District.3.The Assistant Engineer,
Highways Department,
Keeranoor,
Pudukkottai District.4.The Assistant Engineer,
Highways Department,
Viralimalai,
Pudukkottai District.

5.Kumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents herein from in any way laying the drainage canal on the petitioner patta land comprised in Survey No.432/5 situated at Setti Theru, Kadai Veedhi, 14th Ward, Illuppur Taluk, Pudukkottai District on the basis of the petitioner representation dated 31.01.2017 without due process of law.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.T.S.Mohammed Mohideen

Addl. Government Pleader for R1 to R4

ORDER

<https://hcservices.courts.gov.in/hcservices/>
The ground of the petitioner is that the respondents are trying to lay drainage channel by encroaching upon his patta land situated at Survey No.432/5, Setti Theru, Kadai Veedhi, 14th Ward, Illuppur Taluk, Pudukkottai District.



2. Ventilating such grievance, the petitioner has already made an objection on 23.01.2017 and 31.01.2017. Therefore, it is for the respondents, more particularly, the fourth respondent, to consider the objection of the petitioner and pass orders on the same on merits and in accordance with law.

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3. Accordingly, this writ petition is disposed of without expressing any view on the claim made by the petitioner only with a direction to the fourth respondent to consider the petitioner's representation and pass orders on the same on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The District Collector
Pudukkottai District.
2. The Divisional Engineer,
Highways Department,
Pudukkottai District.
3. The Assistant Engineer,
Highways Department,
Keeranoor,
Pudukkottai District.
4. The Assistant Engineer,
Highways Department,
Viralimalai,
Pudukkottai District.

+1cc to Special Government pleader, SR.7243
+1cc to Mr.B.Jameel Arasu, Advocate, Sr.7097

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SKN
KK-JM-SAR3-16.02.2017-2P-7C