

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 08.02.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU**W.P. (MD) No.2091 of 2017**

A.Muthuraja

.. Petitioner

Vs.

1.The District Collector,
District Collectorate Office,
Dindigul, Dindigul District.

2.The Assistant Director (Local Body),
Assistant Director Office,
Dindigul, Dindigul District.

3.Block Development Officer,
Union Office, Sempatti,
Attur Taluk, Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the Respondents to take necessary action based on the Petitioner's representation dated 18.01.2017 and take necessary action against the illegal construction of the bore well.

For Petitioner	: Mr.D.Selvaraj
For R1 and R2	: Mr.A.Muthukaruppan Additional Government Pleader
For R3	: Mr.K.Mahesh Raja Government Advocate

ORDER

The petitioner seeks for a Mandamus directing the respondents to take necessary action based on his representation, dated 18.01.2017 wherein he made a complaint against his own brother namely one Selvaraj, as if he has dug bore well in his property without getting prior permission from the local authority.

2.Needless to say that it is for the third respondent to consider the said representation of the petitioner by giving due opportunity of hearing to the rival party and pass an order on merits and in accordance with law. Therefore, this Court, at this



stage, is not expressing any view on the claim made by the petitioner.

3. Accordingly, this writ petition is disposed of only with a direction to the third respondent to consider the representation of the petitioner and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the rival claimant/claimants. Such exercise shall be done by the third respondent, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

rj2

To

1. The District Collector,
District Collector Office,
Dindigul, Dindigul District.

2. The Assistant Director (Local Body),
Assistant Director Office,
Dindigul, Dindigul District.

3. The Block Development Officer,
Union Office, Sempatti,
Attur Taluk, Dindigul District.

+1CC to Mr.D.Selvaraj, Advocate Sr.No.7015

+1CC to Spl.Government Pleader Sr.No.7227

GJM/CM/MSA/21.2.17-2p-6c

W.P. (MD) No.2091 of 2017
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