



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD) No.23491 of 2017 and
W.M.P. (MD) No.19751 of 2017

Mr.V.S.Irulandi

... Petitioner

-vs-

1. The District Collector,
Collectorate Building,
Ramanathapuram District.

2. The Thasildar,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the District Collector the 1st respondent herein restraining the 2nd respondent, their men and agent from interfering the petitioner's irrigation right from the Mukkaiyur Kanmai to his Nanja land for paddy cultivation.

For Petitioner : Mr.R.Rajaraman
For Respondents : Mr.M.Alagathevan
Spl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the 1st respondent herein restraining the 2nd respondent, their men and agent from interfering with the petitioner's irrigation right from the Mukkaiyur Kanmai to his Nanja land for paddy cultivation.

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that pursuant to the poor rainfall, the water level in Mukkaiyur Kanmai had gone down and therefore, without using the motor pump, it is not possible for the petitioner to draw water from the said Kanmai, by deploying the manual power for the said purpose, as the second respondent, at the instigation of some third parties, has been preventing the petitioner to use the motor pump for paddy cultivation. Aggrieved by the said act, the petitioner herein submitted a representation dated 12.12.2017, followed by a reminder dated 15.12.2017 to the 1st respondent herein for suitable action. Since there was no action



taken on his representations, the petitioner is before this Court with the above prayer.

4. The learned Special Government Pleader would submit that if reasonable time is granted to the first respondent, the representation of the petitioner will be considered and appropriate orders be passed.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to pass appropriate orders on the representation dated 12.12.2017, followed by a reminder dated 15.12.2017 of the petitioner, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any.

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

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Collectorate Building,
Ramanathapuram District.

2. The Thasildar,
Kadaladi Taluk,
Ramanathapuram District.

+1cc to Mr.R.RAJARAMAN,Advocate,SR. 93876

+1cc to M/S.Special Government Pleader,SR.94805

W.P (MD) No.23491 of 2017
20.12.2017

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