



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.03.2017**

CORAM:

THE HONOURABLE **MR.HULUVADI G.RAMESH,**

ACTING CHIEF JUSTICE

AND

THE HONOURABLE **MR.JUSTICE T.S.SIVAGNANAM**

W.P. (MD) .No.4180 of 2017

and W.M.P. (MD) .Nos.3337 and 3338 of 2017

R.Lakshmi

: Petitioner

Vs.

- 1.The Secretary to Government,
Department of Revenue, Fort.St.George,
Chennai 600 009.
- 2.The Commissioner of Land Reforms,
Chepauk, Chennai 600 005.
- 3.The District Collector,
Office of the Collectorate,
Pudukkottai, Pudukkottai District.
- 4.The Block Development Officer,
Pudukkottai Village Panchayat Union,
Pudukkottai, Pudukkottai District.
- 5.The President,
Village Panchayat,
Agarapatti Village & Post,
Kavinaadu West, Pudukkottai Taluk & District.
- 6.The Deputy Director of Town Planning and
Rural Development, Office of the Deputy Director of Town,
Planning and Rural Development, Sivagangai District.
- 7.S.Zakir Hussain : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents, 3, 4 and 6 herein to consider the representation dated 07.11.2016 and submit a report to this Court



within the time frame fixed by this Court in line with the directions passed by this Court in W.P.(MD).No.19566 of 2015.

For Petitioner : Mr.M.Aravind Subramaniam
For Respondents : Mr.M.Govindan
1 to 3, 5&6 : Special Government Pleader

For Respondent No.4 : Mr.G.Muthukannan
Government Advocate

O R D E R

[Order of the Court was made by
The Hon'ble The Acting Chief Justice]

Heard the learned counsel for the petitioner, Mr.M.Govindan, learned Special Government Pleader, who takes notice for the respondents 1 to 3, 5 and 6 and Mr.G.Muthukannan, learned Government Advocate, who takes notice for the fourth respondent.

2. The petitioner has come forward with the present Writ Petition, coloring the same as a Public Interest Litigation, seeking a Writ of Mandamus directing the respondents, 3, 4 and 5 herein to consider the representation dated 07.11.2016 and submit a report to this Court within the time frame fixed by this Court, in line with the directions issued by this Court in W.P.No.19566 of 2015.

3. The grievance of the petitioner is that the agricultural lands are being converted into residential plots and a Water Channel has being blocked by dumping waste materials and thereby curtailing free flow of water to the agricultural lands.

4. The learned Special Government Pleader for the respondents 1 to 6, on instructions, submitted that totally, there are 2,000 acres of lands and in the midst of 2,000 acres of land, the petitioner is having 10 acres of Nanja land and carrying on agricultural activities. Thus, according to the learned Special Government Pleader, the petitioner, if aggrieved that free flow of water is blocked to his agricultural lands, could make representation before the authorities concerned and he is not entitled to file Public Interest Litigation.

5. We have considered the above submissions. The grievance of the petitioner is that the Water Channel is being blocked by dumping waste materials and thereby blocking free flow of water to his agricultural lands. Such being the case, we are of the considered view that there is no public interest involved in this case for the petitioner to make a representation either before the Public Works Department or before the Irrigation Department and they will look into the matter and the case of the



petitioner, at no stretch of imagination, can be treated as Public Interest Litigation.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

NB

To

- 1.The Secretary to Government,
Department of Revenue, Fort.St.George,
Chennai 600 009.
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- 6.The Deputy Director of Town Planning and
Rural Development, Office of the Deputy Director of Town,
Planning and Rural Development, Sivagangai District.

+1cc to Mr.Aravind Subramaniam, Advocate Sr.No. 14634

+1cc to Spl.Government Pleader Sr.No. 14381

JAM/20.03.17 /BS/ 3p-9c

**ORDER MADE IN
W.P. (MD) .No.4180 of 2017
13.03.2017**