



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.6136 of 2017

V.Hariharan

.. Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
At Nagercoil.

2.The Block Development Officer,
Thuckalay,
Kanyakumari District.

3.The Executive Engineer,
PWD Department,
Thuckalay,
Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents from laying road by closing the existing channel flowing through Survey Nos.764/12, 764/13, 764/14 and 764/15 of Nullivilai B Village, Kalkulam Taluk, Kanyakumari District by considering the representation of the petitioner dated 15.03.2017.

For Petitioner

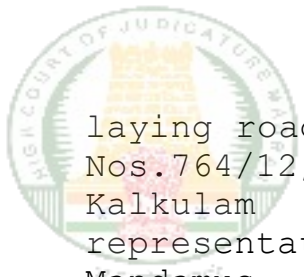
: Mr.S.C.Herold Singh

For Respondents

: Mr.M.Govindan,
Special Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]



laying road by way of closing existing channel runs through Survey Nos.764/12, 764/13, 764/14 and 764/15, Nullivilai B Village, Kalkulam Taluk, Kanyakumari District on the basis of representation dated 15.03.2017, by way of issuing a Writ of Mandamus.

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2.The learned counsel appearing for the petitioner has contended that in Survey Nos.764/12, 764/13, 764/14 and 764/15, Nullivilai B Village, a channel is situate. Now, the respondents are making arrangements to obliterate the same for laying road. Under the said circumstances, a representation has been given on 15.03.2017, but the same has not been considered.

3.Considering the fact that a representation has been given to the respondents 2 to 4 and the same has not been considered, this Court is inclined to pass the following order.

4.In fine, this Writ Petition is allowed in part without costs and the respondents 2 to 4 are directed to look into the representation dated 15.03.2017 and dispose of the same within a period of two months.

Sd/-

Assistant Registrar(Protocol)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Kanyakumari District,
At Nagercoil.

2.The Block Development Officer,
Thuckalay,
Kanyakumari District.

3.The Executive Engineer,
PWD Department,
Thuckalay,
Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

+1cc to Mr.S.C.Herold Singh,Advocate,SR.53817

+1cc to M/S.Special Government Pleader,SR.54682

W.P (MD) No.6136 of 2017
25.04.2017

PS