



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11021 of 2013

C.Thangaraj .. Petitioner
Vs.

1. The District Collector,
Nagercoil, Kanyakumari District.

2. The Executive Engineer(PWD) Source of Water,
Kothiyar Basin Division, Nagercoil.

3. C.John Rose .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the Petitioner's representation dated 03.05.2013 and implement the Letter No.Vu.Va./M77/1368 dated 05.11.2008 on the file of 2nd respondent.

For petitioner : Mr.H.Velavadhas

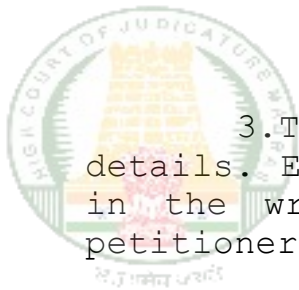
For R1 & R2 : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner submitted a representation dated 03.05.2013 to the second respondent requesting him to remove the encroachment made by the third respondent in respect of a bund, at the instance of the third respondent. Since follow up action was not taken, the petitioner has come up with this writ petition.

2.We have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.



3.The affidavit filed by the petitioner is bereft of details. Even the survey number of the property has not mentioned in the writ petition. We are therefore of the view that the petitioner has not made out a case for issuing Mandamus.

4.We give liberty to the petitioner to submit a comprehensive representation to the appropriate authority indicating the correct survey number. In case, any such representation is given, the concerned authority shall consider and dispose of the same on merits and as per law, with notice to the third respondent.

5.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Nagercoil, Kanyakumari District.
2. The Executive Engineer(PWD) Source of Water,
Kothiyar Basin Division, Nagercoil.

+1cc to The Spl.Government Pleader Sr.No.63668

RJ2/PSD

VB/SV/SAR2/19.07.2017/2P/4C

ORDER MADE IN
W.P(MD)No.11021 of 2013
05.07.2017