



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.4039 and 4040 of 2013
and M.P.(MD) Nos.1+1 of 2013 in
W.P(MD) Nos.4039 and 4040 of 2013

1. S.Gandhi Chairman ... Petitioner in W.P.(MD) No.4039 of 2013
2. Sundaravelu ... Petitioner in W.P.(MD) No.4040 of 2013

-vs-

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Revenue Divisional Officer,
Thoothukudi.
3. The Tahsildhar,
Srivaikundam Taluk,
Thoothukudi District.
4. The Inspector of Police,
Eral Police Station,
Thoothukudi District.
5. The President,
Valavallan Village Panchayat,
Srivaikundam Taluk,
Thoothukudi District. ... Respondents in both WPs

PRAYER in W.P.(MD) No.4039 of 2013: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to provide necessary protection to the petitioner to carry out his business of drawing and selling water from his field at Survey No.145/4B3B and Survey No. 207/9A3D located in Mukkani, Eral Main Road, Valavallan Village, Srivaikundam Taluk, Tuticorin District in consideration of the petitioner's representation dated 26.02.2013.

PRAYER in W.P.(MD) No.4040 of 2013: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to provide necessary protection to the petitioner to carry out his business of drawing and selling water from his field at Survey No. 195-7 located in



Mukkani, Eral Main Road, Valavallan Village, Srivaikundam Taluk, Tuticorin District in consideration of the petitioner's representation dated 26.02.2013.

For Petitioners : Mr.S.M.Mohan Gandhi

For R1 to R4 : Mr.T.S.Mohamed Mohideen
Addl. Govt. Pleader

C O M M O N O R D E R

These writ petitions have been filed, seeking a direction to the respondents 1 to 4 to provide necessary protection to the petitioners for smooth conduct of their business activities in drawing and selling water from their lands, based on their respective representations.

2. Heard the learned counsel on either side.

3. It is represented by the learned counsel appearing for the petitioners that alleging the high-handedness of the 5th respondent / Panchayat President in blocking the lorries of the petitioners, thereby preventing their business, the petitioners submitted a representation dated 26.02.2013 to the 1st respondent for suitable action against the 5th respondent. However, he has further fairly submitted that now the post of President of Panchayat is no more in existence and therefore, these petitions may be closed, granting liberty to the petitioners to approach the concerned authorities for appropriate relief as and when required.

4. In view of the above submission, these writ petitions are closed, leaving it open to the petitioners to approach the concerned authorities for appropriate remedy in future, if so required. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Thoothukudi District,
Thoothukudi.

2. The Revenue Divisional Officer,
Thoothukudi.



3. The Tahsildhar,
Srivaikundam Taluk,
Thoothukudi District.

4. The Inspector of Police,
Eral Police Station,
Thoothukudi District.

+1cc to M/S.S.M.Mohan Gandhi, Advocate SR.No. 87911

+1cc to Special Government Pleader, SR.No. 88486

W.P(MD) Nos.4039 and 4040 of 2013
17.11.2017

ar

JM/KK/SAR 1/07.12.2017/3P/7C