

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.2252 of 2013

R.Balakrishnan

.. Petitioner

Vs.

1. The District Collector,
Kancheepuram.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Kancheepuram.

3. The District Collector,
Kancheepuram Taluk,
Kancheepuram.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider his representation dated 15.01.2013 to permit the petitioner from using the diesel engine to pump the water from Butheri Lake for irrigating the petitioner lands.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.B.Anand

Government Advocate

O R D E R

Heard Mr.M.Sankar, learned counsel for the petitioner; Mr.B.Anand, learned Government Advocate for the respondents and perused the materials available on record.

2. The petitioner has come up with the present Writ Petition seeking direction to the respondents to permit him from using the diesel engine to pump the water from Butheri Lake for irrigating his lands, based on his representation dated 15.01.2013.

3. The learned counsel for the petitioner submitted that it would be suffice, if a suitable direction is issued to the third respondent to consider the representation of the petitioner.

4. The learned Government Advocate submitted that the lands of the petitioner was originally lying with the jurisdiction of the third respondent and now it comes under Tahsildar, Walajabad, Kancheepuram District and if a fresh representation is given to the concerned Authority, it would be considered in accordance with law.

5. Considering the limited scope of the prayer sought for in the Writ Petition and the submissions of the learned counsel on either side, this Court directs the petitioner to give a fresh representation to the Tahsildar, Walajabad, Kancheepuram District, by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such receipt, the Tahsildar, Walajabad, Kancheepuram District, shall consider the same and pass orders purely on merits and in accordance with law, after providing opportunity to all necessary parties within a period of twelve weeks therefrom.

6. With the above direction, the Writ Petition is disposed of. There is no order as to costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

r n s

To

1. The District Collector,
Kancheepuram.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Kancheepuram.
3. The District Collector,
Kancheepuram Taluk,
Kancheepuram.

+1cc to Mr.M.Sankar, Advocate, S.R.No. 42576
+1cc to the Government Pleader, S.R.No. 43216

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NRL (CO)
BM 13/07/2018