

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.27504 of 2018
and
W.M.P.No.32015 of 2018

C.L.Dili Babu

.. Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Kancheepuram District.

2.The Revenue Divisional Officer,
Office of the District Revenue Divisional Officer,
Kancheepuram District.

3.The Superintendent Engineer,
State Highways Department,
Chengalpet,
Kancheepuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents herein to dispose the petitioner representation made on 25.09.2018 and not to proceed with the construction of water channel adjacent to the petitioners fish farming land comprised in survey No:1443, 1441/1, 1444/2, 1445/2 & 1474/2.

For Petitioner : Mr.Vimal B.Crimson

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

The petitioner has come forward with this writ petition, seeking a direction to the respondents to dispose of his representation dated 25.09.2018 and subsequently not to proceed with the construction of water channel adjacent to his land comprised in Survey Nos:1443, 1441/1, 1444/2, 1445/2 & 1474/2.

2. According to the Petitioner, his parents are the absolute owners of the property comprised in Survey No:1443, 1441/1, 1444/2, 1445/2 & 1474/2, situated at Palur Village

Chengalpet. The Petitioner is having a fish farm in the said property from the year 2015. The same was developed, after getting appropriate permission from the authorities as per the guidelines stipulated in the Tilapia Culture and Culture of Pangasius sutchi. To develop the fish farm, the petitioner availed loan from Banks by pledging the said property and he is exporting fish as per the guidelines and rules enacted by the Government of India. It is the grievance of the Petitioner that without any prior notice, the respondents commenced the digging work adjacent to his land to construct a small water channel bridge, in an arbitrary manner, which will cause great hardship and loss to him.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Considering the facts and circumstances of the case, as the Petitioner's representation is already pending with the authorities concerned, this Court directs the Respondents herein to consider the Petitioner's representation dated 25.09.2018 and pass appropriate orders, in accordance with law, after affording an opportunity of hearing to all the parties concerned, who are likely to be affected by the grant of relief to the petitioner, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly. Consequently, connected miscellaneous petition is also closed. No costs.

Sd/-
Assistant Registrar (VO)

//True copy//

सत्यमेव जयते
Sub Assistant Registrar

sai/rsi

To

1.The District Collector,
Office of the District Collector,
Kancheepuram District.

2.The Revenue Divisional Officer,
Office of the District Revenue Divisional Officer,
Kancheepuram District.

3.The Superintendent Engineer,
State Highways Department,
Chengalpet,
Kancheepuram District.

+1cc to Mr.Vimal B Crmson, Advocate SR.No.71534

W.P.No.27504 of 2018

GMV (22/10/2018)



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