



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2018

CORAM:

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.2954 of 2018

and

W.M.P.(MD)Nos.3119 & 3120 of 2018

and

W.M.P.(MD)No.11793 of 2018

R.Vijaykumar

: Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintendent of Police,
O/o.Superintendent of Police,
Ramanathapuram District.
- 3.The Commissioner,
Rameswaram Municipality,
Ramanathapuram District.
- 4.The Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.
- 5.The Commissioner,
Rameshwaram Municipality,
Ramanathapuram District.
- 6.The Special Officer,
Thangachimadam Panchayat,
Thangachimadam,
Rameshwaram Taluk,
Ramanathapuram District.

7.J.John Amalraj

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Na.Ka.Vu.Ni.5/3393/2017 dated 22.12.2017 on the file of the respondent No.1 and quash the same.



For Petitioner : Mr.T.Lajapathi Roy
For R1, R2, R4 & R6 : Mr.V.Anand, G.A.
For R3 & R5 : Mr.M.Kannan, Standing counsel
For R7 : Mr.Jerin Mathew

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ORDER

The order challenged in this Writ Petition is an inter-office communication from the District Collector of Ramanathapuram to the Block Development Officer, Mandapam wherein the District Collector had called for a report on illegal tapping of water in the limits of Bamban Panchayath.

2.The copies of the impugned order was not marked to the petitioner. The petitioner herein being a lawyer has filed the present Writ Petition stating that in view of the impugned order, the villagers in Ramanathapuram will be affected.

3.Apparently, the impugned order dated 22.12.2017 may not deemed to be an order as such, since the District Collector has only called for a report with regard to the action taken on the illegal tapping in the various lands in Thangachimadam Panchayath.

4.Unless and until a final order has been passed, the petitioner cannot be said to be an aggrieved person. Even otherwise, the petitioner herein does not seem to be an aggrieved person and the Writ Petition itself is more or less a Public Interest Litigation in nature.

5.In my view, the prayer sought for in this petition is pre-matured and hence, the Writ Petition stands dismissed. In case any final orders are passed by the concerned authorities, it is open to the aggrieved persons to work out their remedies in accordance with law. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.



2.The Superintendent of Police,
O/o.Superintendent of Police,
Ramanathapuram District.

3.The Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.

4.The Special Officer,
Thangachimadam Panchayat,
Thangachimadam,
Rameshwaram Taluk,
Ramanathapuram District.

+1cc to Mr.T.Lajapathi Roy, Advocate, SR.No.71213
+1cc to Mr.M.Kannan, Advocate, SR.No.71173.
+1cc to Mr.Jerin Mathew, Advocate, SR.No.71629.

W.P. (MD) No.2954 of 2018
04.07.2018

gns

RAM/SKN RSK/SAR 2/18.07.2018/3P/8C