



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P(MD)No.2965 of 2018

Ramamirtham .. Petitioner

Vs.

1.The District Collector,
Collectorate,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Ramanathapuram District.

3.The Tahsildar,
Office of Tahsildar,
Ramanathapuram District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 10.01.2018 and consequently direct the respondents to protect the Alavanthar Oorani situated in survey No.791A, 791B and 791C with an extent of 4.62 acres Kunjarvalasai Village, Vetharanyam Panchayat, Ramanathapuram District.

For Petitioner	: Mr.V.Muthumani
For Respondents	: Mr.C.M.Marichelliah Prabu Additional Government Pleader

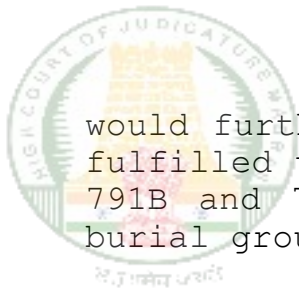
ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

By consent, the main writ petition itself, is taken up for final disposal.

2. Mr.C.M.Mari Chellaih Prabhu, learned Additional Government Pleader accepts notice on behalf of respondents 1 to 3.

3. The petitioner, who is a resident of Kunjarvalasai, Vedhalai Village, Mandapam, Ramanathapuram District, came forward to file this Writ Petition styled as a 'Public Interest Litigation', stating among other things that she is eking out her livelihood by doing wood carving business along with her family members and according to her, the District of Ramanathapuram is always water starved and they are not having river water source other than the water source in the nature of 'Ooranies' (Ponds). The petitioner



would further aver that major portion of the water requirements, is fulfilled through "Alavanthar Oorani", comprised in Survey Nos.791A, 791B and 791C having spread over of 4.62 acres and a Temple and burial ground are also located in the said survey numbers.

4. The grievance expressed by the petitioner is that tender has been floated for deepening the said water body and under the guise of doing so, the local body has colluded with the local Contractors and illegally transported the sand removed from the bed of the said water body and despite the fact that the said illegal act was brought to the knowledge of the concerned officials in the form of representation dated 10.01.2018, no action has been taken so far and hence, she came forward to file this Writ Petition.

5. This Court heard the submissions of the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the materials placed before it.

6. This Court taking into consideration the above fact and circumstances and without going into the merits of the claim projected by the petitioner either in her representation or in this Writ Petition, directs the third respondent to cause inspection of "Alavanthar Oorani" comprised in Survey Nos.791A, 791B and 791C of Kunjarvalasai Village, Vetharanyam Panchayat, Ramanathapuram District, within a period of four weeks from the date of receipt of a copy of this order, after putting the concerned persons/officials on notice and depending upon the result of the same, shall take appropriate action, in accordance with law, within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the persons concerned.

7. The Writ Petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Collectorate,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Ramanathapuram District.



3.The Tahsildar,
Officer of Tahsildar,
Ramanathapuram District.

+1cc to M/S.R.Senthil Kumar, Advocate SR.No. 48413

+1cc to Special Government Pleader, SR.No. 48853

ORDER MADE IN
W.P (MD) No.2965 of 2018
14.02.2018

rmi/pm

JM/SV MMS/SAR 2/19.02.2018/3P/6C