

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 25.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****W.P. (MD) No.14672 of 2018****and****W.M.P (MD) No.13234 of 2018**

Palanivel

... Petitioner

vs.

1. The District Collector,
Pudukottai District,
Pudukottai.
2. The Block Development Officer,
Thiruvarangulam, Pudukottai District.
3. The Special Officer,
Melathur Panchayat,
Alangudi Taluk,
Pudukottai District.
4. The Special Officer,
Keelathur Panchayat,
Alangudi Taluk,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, forbearing the respondents from installing/permitting to install bore well in any place adjacent to Survey Number 165 of Keelathur Village, Alangudi Taluk, Pudukottai District.

For Petitioner	: Mr.K.N.Govardhanan
For R1	: Mr.J.Gunaseelanmuthiah, Additional Government Pleader.
For R2 to R4	: Mr.V.R.Shanmuganathan, Standing Counsel

O R D E R

The limited request of the petitioner herein is that though his own bore well situated at Survey No.165, Keelathur Village,



Alangudi Taluk, Pudukottai District, the respondents have contemplated to install another bore well, very close to his bore well, which would affect his water level and therefore, he prays for relocating the respondents' bore well to some other place.

2. The learned Standing Counsel appearing for the respondents 2 to 4 submitted that pursuant to the report of the Geologist, they have identified the present place to put up the bore well, which is nearer to the petitioner's bore well and in case, the petitioner wants to relocate the place of their bore well, the same could be done only after getting a report from the Geologist at the cost of the petitioner herein.

3. I am of the view that the submission of the learned standing counsel appearing for the respondents 2 to 4 is reasonable. The suggestion is also acceptable to the petitioner.

4. In the light of the submissions made by the respective counsel, the petitioner is granted liberty to make a fresh application seeking for Geological Survey of the land in Survey No.170 to enable the respondents to identify an appropriate place for putting up the bore well. The petitioner shall also undertake to pay the cost for such survey. On receipt of such request, the respondents shall carry out the necessary survey for the purpose of identifying the place for putting up the bore well. Such an exercise shall be taken within a period of four weeks from the date of receipt of the petitioner's representation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The District Collector,
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Pudukottai.
2. The Block Development Officer,
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3. The Special Officer,
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Alangudi Taluk,
Pudukottai District.



4. The Special Officer,
Keelathur Panchayat,
Alangudi Taluk,
Pudukottai District.

+1cc to Mr.K.N.Govardhanan, Advocate SR.No.75282

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.75144

Cp

MK/KAK/SAR 3/07.08.2018/3P/7C

W.P. (MD) No.14672 of 2018

and

W.M.P (MD) No.13234 of 2018

25.07.2018