



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16464 of 2018

Senthil Kumar

... Petitioner

vs.

1. The District Collector
Karur District
Karur
2. The Revenue Divisional Officer
Collector Office
Kulithalai
Karur District
3. The Tahsildhar
Taluk Office
Krishnayapuram Taluk
Karur District
4. The Village Administrative Officer
Sengal Village
Krishnarayapuram Taluk
Karur District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent herein to permit the petitioner to dig well in the petitioner's agricultural land in S.No.530/1, 0.17.50 Hectare of land situated at Manickapuram, Sengal Village, Krishnarayapuram Taluk, Karur District based upon the representation of the petitioner dated 14.07.2018.

For Petitioner : Mr.S.Gokulraj

For Respondents : Mr.J.Gunaseelan Muthiah

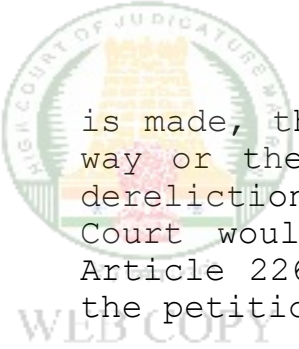
Additional Government Pleader

O R D E R

The grievance of the petitioner that his representation dated 14.07.2018 seeking to dig well in his agricultural land, has not been considered by the fourth respondent till date and therefore, he has filed the present writ petition.

2. It is needless to point out that if the petitioner intends to dig a well in his own private property for the purpose of agricultural, the respondents cannot have any objections.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature



is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 14.07.2018 on its own merits and take further action in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar(CS-III)

To

1. The District Collector
Karur District
Karur
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Karur District
4. The Village Administrative Officer
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Krishnarayapuram Taluk
Karur District

+1cc to Mr.S.Gokulraj, Advocate, SR.No.76333

+1cc to M/s.Special Government Pleader,SR.No.76602

W.P.(MD) No.16464 of 2018
01.08.2018

AAV