



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.22902 of 2017

WEB COPY

K.Murugasamy

... Petitioner

Vs

1. The Sub Collector, O/o.Sub Collector,
Palani, Dindigul District.

2. The Thasildar, Palani Taluk,
Dindigul District.

3. The Commissioner, Village Panchayat,
Thoppampatti, Palani Taluk,
Dindigul District.

4. The Block Development Officer,
(Village Panchayats)
Thoppampatti, Palani Taluk,
Dindigul District.

... Respondents

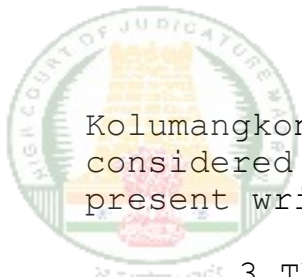
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second & third respondents to give permission by issuing no objection certificate to laying pipeline to take water through the pipe from the petitioner's agricultural land in survey No.573/1 to his nearby agricultural land in survey Nos.12 & 14 by crossing through the public cart track in survey Nos.316 and 317 situated at Kolumangkondan Revenue Village, Dindigul District by complying the second respondent proceedings in Na.Ka.No.918/2017/C2 dated 22.05.2017.

For Petitioner : Mr.A.Prasanna Rajadurai
For R1 to R3 : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader.
For R4 : Mr.S.Satheesh Kumar

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.It is the grievance of the petitioner that his representation dated 01.02.2017 to give permission by issuing no objection certificate to laying pipeline to take water through the pipe from the petitioner's agricultural land in survey No.573/1 to his nearby agricultural land in survey Nos.12 & 14 by crossing through the public cart track in survey Nos.316 and 317 situated at



Kolumangkondan Revenue Village, Dindigul District, has not been considered by the respondents till date and therefore, has filed the present writ petition.

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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers 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 third respondent to consider the petitioner's representation dated 01.02.2017 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Sub Collector, O/o. Sub Collector, Palani, Dindigul District.
2. The Thasildar, Palani Taluk, Dindigul District.
3. The Commissioner, Village Panchayat, Thoppampatti, Palani Taluk, Dindigul District.

+1CC to Mr. A. Prasanna Rajadurai, Advocate, SR.No. 75241

+1CC to the Special Government Pleader SR.No. 75142

W.P. (MD) No. 22902 of 2017
25.07.2018

MM

ES/MMS/SAR 4/02.08.2018/2P/6C