

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.2166 of 2019

and

W.M.P.No.2412 of 2019

K.Kumarasamy

...Petitioner

-Vs-

1. The District Collecotr,
Namakkal District,
Namakkal.
2. The Revenue Divisional Officer,
Thiruchengodu,
Namakkal District.
3. The Tahsildar,
Paramathi Velur Taluk,
Namakkal District.
4. The Chief Engineer,
Public Works Department (WRO),
Pudukottai Road,
Subramaniapuram,
Tiruchirapalli 620 020.
5. The Executive Engineer,
Public Works Department, (WRO),
Sarabanga Basin Division,
Namakkal.
6. The Assistant Engineer,
Public Works Department, (WRO),
Irrigation Division, Paramathi Velur,
Namakkal District

...Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 5 to consider the representation dated 05.12.2018, seeking for leasing out of the lands situate in Survey No.294, Kothamangalam Village, Paramath Velur Taluk, Namakkal District, classified as River Bed as per G.O.Ms.No.200, PWD Department, dated 08.02.1974.

For Petitioner : Mr.R.Karthikeyan

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

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

2. The petitioner has come up with this Writ Petition seeking a direction to the respondents 1 to 5 to consider the representation dated 05.12.2018, for grant of lease of the land situated in Survey No.294, Kothamangalam Village, Paramath Velur Taluk, Namakkal District, which is classified as River Bed as per G.O.Ms.No.200, PWD Department, dated 08.02.1974.

3. According to the learned counsel for the petitioner, the petitioner owns the land in Survey No.294, measuring an extent of 7.50 acres, situated at Kothamangalam village, which is classified as cauvery river bed and he is doing agriculture in the said land for more than 30 years by paying lease amount to the Public Works Department. It is further stated that the petitioner has invested huge amount and planted sugarcane in the said land and now, the respondents 3 and 6 are trying to destroy the crops under the pretext of resuming the land. Hence, the petitioner gave a representation dated 05.12.2018 for grant of lease of his land, but, the same is yet to be disposed of by the respondents 1 to 5. Hence, the petitioner is before this Court.

4. Heard Mr.V.Shanmugasundar, learned Special Government Pleader appearing on behalf of the respondents.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the respondents 1 to 5 to consider the petitioner's representation dated 05.12.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner as well as any of the interested parties and also affording them an opportunity of personal hearing, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed

srn

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Namakkal District, Namakkal.
2. The Revenue Divisional Officer,
Thiruchengodu, Namakkal District.
3. The Tahsildar,
Paramathi Velur Taluk,
Namakkal District.
4. The Chief Engineer,
Public Works Department (WRO),
Pudukottai Road,
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5. The Executive Engineer,
Public Works Department, (WRO),
Sarabanga Basin Division, Namakkal.
6. The Assistant Engineer,
Public Works Department, (WRO),
Irrigation Division, Paramathi Velur,
Namakkal District

+lcc to Mr.R.Karthikeyan, Advocate, S.R.No.8078
+lcc to the Government Pleader, S.R.No.9124

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CA(CO)
KAK(01/03/2019)