

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.20241 of 2008
and
M.P.No.1 of 2008

- 1.N.Gopal
- 2.M.Govindasamy
- 3.Chennammal
- 4.N.Sankaran
- 5.A.Muniyan

...Petitioners

Vs

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
2. The District Revenue Officer,
Tiruvannamalai,
Tiruvannamalai District.
3. The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.
4. The Commissioner,
Tiruvannamalai Municipality,
Tiruvannamalai - 606 601.
5. The Block Development Officer,
Tiruvannamalai Union,
Tiruvannamalai - 606 601.
6. The Executive Engineer,
TWAD Board,
Tiruvannamalai - 606 601.
7. The Executive Engineer,
Highways Department,
Tindivanam Road,
Tiruvannamalai - 606 601.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of a writ of mandamus, forbearing the respondents their subordinates and persons authorised by them from in any manner forming drainage channel in or connecting the drainage channel with Cheiyandal Tank irrigation Channel so as to let the drainage water discharged from Tiruvannamalai Town into their patta lands comprised in S.Nos.21/4B, 21/4C, 21/5, 23/2B, 23/2A, 26/2, 21/10, 21/11, 21/6, 21/7A, 21/2, 23/3, 23/1B, 21/1, 26/1, 23/4, 21/9, 24/1A, 24/1B, 24/1C1, 24/1A1 and 23/4, Tiruvannamalai, Cheriandal Village, Tiruvannamalai Taluk and District.

For Petitioners : Mr.P.Mani

For Respondents : Mr.I.Sathish

Additional Government Pleader
for R1 to R3 & 7

Mrs.P.Rajalakshmi

Additional Government Pleader
for R4 & R5

Mrs.S.Thamizharasi

Standing Counsel for R6

O R D E R

Heard the learned counsel on either side and perused the materials available on record.

2. This writ petition has been filed for issuance of a writ of mandamus, forbearing the respondents from forming a drainage channel in or connect with Cheiyandal Tank irrigation Channel.

3. Mr.P.Mani, learned counsel for the petitioners would submit that the petitioners are the agriculturalists and they are having lands in S.Nos.21/4B, 21/4C, 21/5, 23/2B, 23/2A, 26/2, 21/10, 21/11, 21/6, 21/7A, 21/2, 23/3, 23/1B, 21/1, 26/1, 23/4, 21/9, 24/1A, 24/1B, 24/1C1, 24/1A1 and 23/4, respectively at Cheriandal Village, Tiruvannamalai District and the respondents are attempting to form a drainage channel and let the drainage water into the petitioners land.

4. The grievance of the petitioners is that the respondents have been making attempt to link the drainage channel with the irrigation channel formed between Tiruvannamalai and Avalurpet.

5. Mrs.P.Rajalakshmi, learned Additional Government Pleader appearing for the respondents 4 and 5 would state that the respondents have decided to form a drainage channel,

without disturbing the irrigation channel, which is being used by the petitioners. The learned Additional Government Pleader also produced a plan showing that the drainage channel is taken through some other root without affecting the irrigation channel, which is being used by the petitioners.

6. In the light of the above facts and the submission made by the learned Additional Government Pleader appearing for the respondents 4 and 5, this Court is of the considered opinion that no further adjudication is required in this writ petition. Accordingly, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

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To

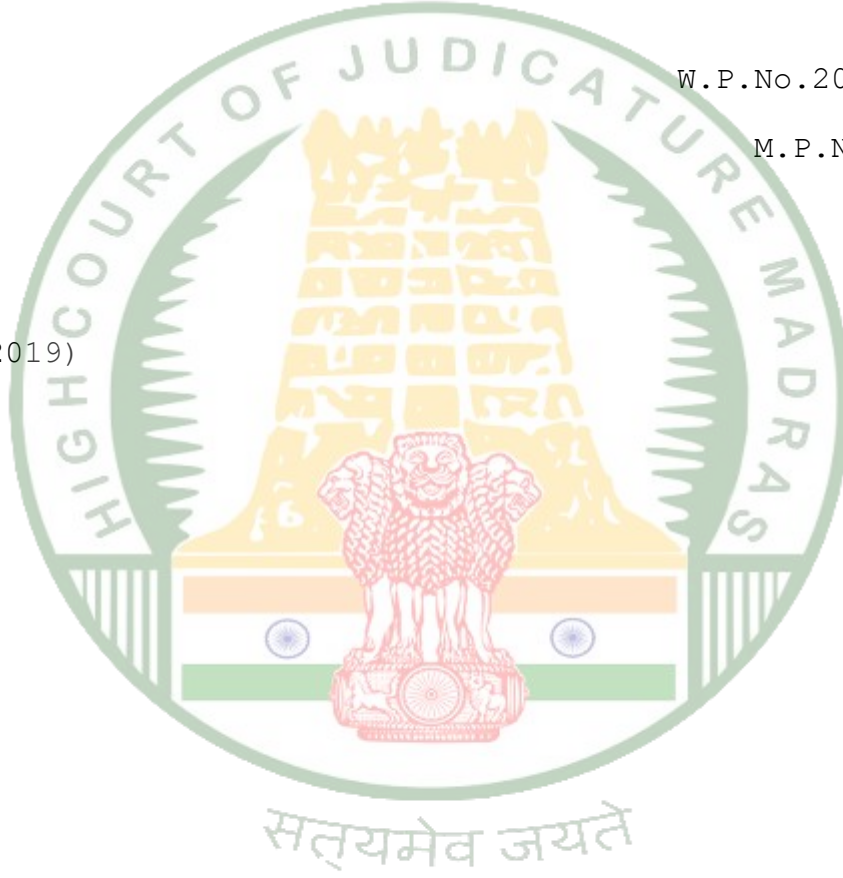
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+1 CC to The Govt. Pleader sr 69358

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RJI (CO)
SP (23/09/2019)



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