

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.17495 of 2019
and W.M.P.No.16975 of 2019

G.Kalaiyarasan

... Petitioner

Versus

1.The District Collector,
Nilgiris District,
Nilgiris.

2.The Block Development Officer,
Kotagiri Block,
Kotagiri Taluk,
Nilgiris District.

3.The Village Administrative Officer,
Naduhatti Village,
Kotagiri Taluk,
Nilgiris District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus forbearing the respondents 1 and 2 from laying drainage channel through PVC pipeline or in any other mode in the petitioner's patta lands in S.F.No,558/2 and 558/3 of Naduhatty Village, Kotagiri Taluk, Nilgiris District.

For Petitioner : Mr.K.Suresh
For R1 & R3 : Mr.N.Inbanathan
Addl.Government Pleader
For R2 : Mr.S.Suresh Kumar
Government Advocate.

O R D E R

Perused the affidavit filed along with the writ petition.

2. After notice to the respondents, the respondents informed that there is a proposal to lay a drainage pipe crossing through the petitioner's land. The respondents have admitted that earlier an attempt was made to lay the

drainage pipe through the lands of one Sahadevan, but due to his objection, they have removed and stored the PVC pipe nearby the petitioner's land. If the respondents want to lay down any pipe line in the private land, it should be done in accordance with law.

3. Without any sanction of law, it appears that in this case, since one Sahadevan has objected for laying pipe line, the authorities have removed and placed the pipe line in the petitioner's land, which has caused apprehension in the minds of the petitioner.

4. In the light of the above facts, it has been placed by the petitioner through his affidavit and communication of the Block Development Officer, Kotagiri, this writ petition is allowed. The respondents 1 and 2 are hereby restrained from laying drainage pipe line through the petitioner's land. If they want to proceed with any proposal of laying the pipe line in the private land, they should follow the due process of law.

5. With the above observation, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

rpl

To

1. The District Collector,
Nilgiris District, Nilgiris.

2. The Block Development Officer,
Kotagiri Block,
Kotagiri Taluk,
Nilgiris District.

3. The Village Administrative Officer,
Naduhatti Village,
Kotagiri Taluk,
Nilgiris District.

+1cc to Mr.K.Suresh , Advocate SR.No. 57039

+1 cc to Government Pleader Sr.No. 58092

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and W.M.P.No.16975 of 2019

A.SK (06/08/2019)

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