

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.31767 of 2019

SHANMUGAM

...Petitioner

Vs

- 1.The District Collector
Dharmapuri District, Dharmapuri.
- 2.The Revenue Divisional Officer
Harur Revenue Division,
Harur, Dharmapuri District
- 3.The Tasildhar
Pappireddy Patti Taluk,
Dharmapuri District
- 4.The Revenue Inspector
Nallagudlahalli, Pappireddy Patti Taluk
Dharmapuri District

..... Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the respondents 1 to 4 to maintain the S. No.142 and 143 situated at Nallagudlahalli Village Pappireddypatti Taluk Dharmapuri District as Vaari and Oodai Poramboke as per the Original Revenue Classification without laying a road by damaging the said Vaari and Oodai in any manner based on the representation of the petitioner dated 23.9.2019

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.P.S.Shivashanmugasundaram
Special Government Pleader
for R1 to R4

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

The Petitioner claims to be a Public Interest Litigatant and also a resident of Dhananur Village, Oppilinayakanhalli Village, Pappireddypatti Taluk, Dharmapuri District. According to him,

the land in S.No.142, Nallagudlahalli Village, Pappireddypatti Taluk, Dharmapuri District, as per 'A' Register is shown as 'Vari', Vari Poromboke, Water canal. During the year 2007, somebody tried to put up a pathway across the water canal. The learned counsel appearing for the petitioner would submit that attempts are being made by some private persons to lay a road/pathway right across the canal and thereby preventing free flow of water and in this regard, a representation dated 23.09.2019 was submitted to the 1st respondent and the grievance was also acknowledged vide petition no.2019/9005/05/ 261903/0923 (New Petition) & Date 23.09.2019 and despite lapse of nearly two months, no action has been taken and therefore, he is constrained to approach this Court by filing this writ petition.

2. Mr.P.S.Shivashanmugasundaram, learned Special Government Pleader accepts notice on behalf of the respondents 1 to 4.

3. Though the petitioner prays for larger relief, this Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation or in this Writ Petition, directs the respondents 3 and 4 to cause inspection on the land in S.No.142, Nallagudlahalli Village, Pappireddypatti Taluk, Dharmapuri District and if any infraction is noted, shall put the concerned persons on notice and thereafter shall take appropriate action in accordance with law and shall complete the entire exercise within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the persons concerned. The 2nd respondent is also directed to monitor the progress being made in this regard and give a suitable instruction to the respondents 3 and 4.

4. The Writ petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector
Dharmapuri District, Dharmapuri.

2.The Revenue Divisional Officer
Harur Revenue Division,
Harur, Dharmapuri District

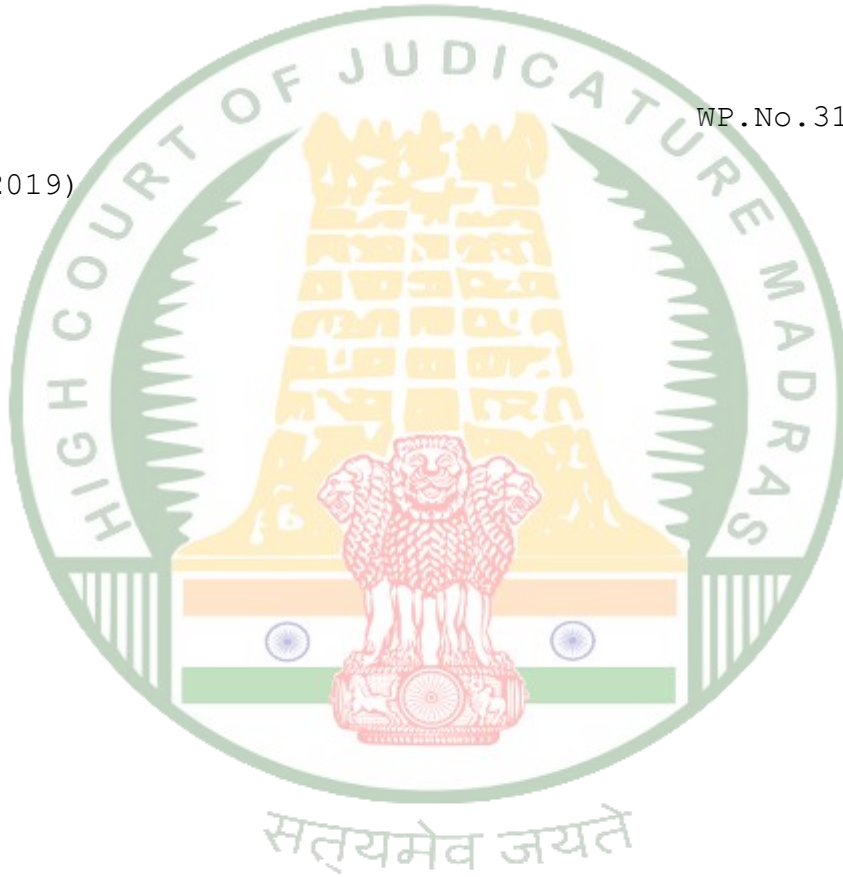
3.The Tasildhar
Pappireddy Patti Taluk,
Dharmapuri District

4.The Revenue Inspector
Nallagudlahalli, Pappireddy Patti Taluk
Dharmapuri District

+lcc to Mr.C.Prabakaran, Advocate, S.R.No. 93924
+lcc to the Government Pleader, S.R.No. 94102

RR(CO)
GN(30/12/2019)

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