



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2019

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.13870 of 2019

Arumuga Gounder

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Palani Taluk, Dindigul District.

3.The Block Development Officer,
Thoppampatti Panchayat Union,
Palani Taluk,
Dindigul District.

4.The Inspector of Police,
Keeranur Police Station,
Dindigul District.

5.Appan @ Karuppasamy

6.Rasu @ Kumaravel

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the fourth respondent to provide adequate police protection to lay pipeline in Survey No.156, 165, 142, 139, 138, 35 and 43 at Rajampatti Village to bring water from a Well situated in Survey No.155/1 to the agricultural lands situated in Survey No.44/3C Rajampatti Village and 679/1, 679/2 and 680 at Melkaraipatti Village by considering the petitioner's representation dated 06.06.2019.

For Petitioner : Mr.T.Lenin Kumar

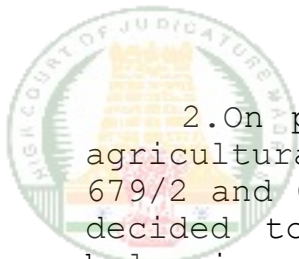
For R1 to R4 : Mr.R.Anandharaj,

Additional Public Prosecutor.

For R5 and R6 : Mr.D.Venkatesh

ORDER

This writ petition has been filed for a direction, directing the fourth respondent to provide adequate police protection to lay pipeline in Survey No.156, 165, 142, 139, 138, 35 and 43 at Rajampatti Village to bring water from a Well situated in Survey No.155/1 to the agricultural lands situated in Survey No.44/3C Rajampatti Village and 679/1, 679/2 and 680 at Melkaraipatti Village, in this regard the petitioner submitted a representation dated 06.06.2019.



2.On perusal of the records reveals that the petitioner owned agricultural land in Survey No.44/3C Rajampatti Village and 679/1, 679/2 and 680 at Melkaraipatti Village. Since there was no title, he decided to bring water from a Well situated in Survey No.155/1 belonging to petitioner's wife. In order to bring the water through pipe line, he applied for permission before the Block Development Officer, Thoppampatti to lay the pipe line between the land comprised in Survey No.155/1 and Survey No.44/3C. The said land, which is Government poramboke land. In this regard, the Director of Block Development Officer conducted field inspection and recommended to the third respondent. The third respondent by an order dated 30.05.2017, permitted the petitioner to lay the pipe line and also such conditions issued by the Tahsildar, Palani by an order dated 01.06.2017, thereby permitting the petitioner lay the pipe line between the said lands.

3.Thereafter only, the petitioner laid the pipe line and the fifth and sixth respondents are objected the same and also threatening the petitioner with dire consequences. Therefore, the petitioner filed this petition.

4.The learned counsel for the fifth and sixth respondents submitted that while passing the order by the Block Development Officer, the Tahsildar raised so many objections, but the same were not considered.

5.Considering the facts and circumstances of the case, the fourth respondent is directed to consider the representation of the petitioner and conduct an enquiry after issuing notice to the fifth and sixth respondents on the strength of the order passed by the Block Development Officer Thoppampatti Union and Tahsildar, Palani Taluk and provide adequate police protection to the petitioner to lay the pipe line between the aforesaid lands within a period of four weeks from the date of receipt of a copy of this order.

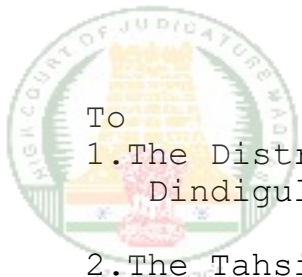
6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Palani Taluk, Dindigul District.

3.The Block Development Officer,
Thoppampatti Panchayat Union,
Palani Taluk,
Dindigul District.

4.The Inspector of Police,
Keeranur Police Station,
Dindigul District.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-97065[F] dated 08/11/2019)

+1 CC to M/s.D.VENKATESH, Advocate (SR-97428[F] dated 11/11/2019)

das /sma/29/11/19/3p7c

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