



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2019

CORAM:

THE HONOURABLE **MR.JUSTICE T.S.SIVAGNANAM**

and

THE HONOURABLE **MRS.JUSTICE R.THARANI**

Writ Petition (MD).No.24067 of 2019

K.R.Suseela

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai Revenue Division,
Devakottai, Sivagangai District.

3.The Thasildar,
Taluk Office, Karaikudi Taluk,
Karaikudi, Sivagangai District.

4.T.Kaliyammal

5.S.Karuppaiah @ Chinnadurai

6.S.Veerapandian

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 3 herein to take necessary action against the encroachments made by the respondents 4 to 6 herein in Survey No.23 which is maintained as a Public Water Canal, Ambakudi Village, Karaikudi Taluk, Sivagangai District on the basis of the petitioner's representation dated 03.10.2019.

For Petitioner : Mr.K.Muthumalai

For Respondents : Mr.A.Muthukaruppan

Addl. Govt. Pleader (for R1 to R3)

O R D E R

(Order of the Court was made by **T.S.SIVAGNANAM,J.**)

Heard Mr.K.Muthumalai, learned counsel appearing for petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for respondents 1 to 3.

2.The petitioner seeks to direct the respondents 1 to 3 herein to take necessary action against the encroachments made by the respondents 4 to 6 herein in Survey No.23 which is maintained as a



Public Water Canal, Ambakudi Village, Karaikudi Taluk, Sivagangai District on the basis of the petitioner's representation, dated 03.10.2019.

3.We find that the representation has been given by the petitioner on 03.10.2019, which has been sent by registered post. From the postal acknowledgement card, we find that the official respondents have received the copy of the representation only on 09.10.2019. Without giving reasonable time to the authorities to take action, the petitioner rushed to this Court. At this juncture, we are not inclined to issue any direction as sought for by the petitioner. However, we permit the petitioner to pursue his representation before the third respondent. The third respondent shall consider the said representation after issuing notice to the petitioner as well as the private respondents 4 to 6 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai Revenue Division,
Devakottai, Sivagangai District.

3.The Thasildar,
Taluk Office, Karaikudi Taluk,
Karaikudi, Sivagangai District.

+1 CC to M/s.K. MUTHUMALAI, Advocate (SR-98303[F] dated 14/11/2019)

+1 CC to M/s.GP (SR-98837[F] dated 15/11/2019)

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14.11.2019

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