

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.28453 of 2012
and M.P.No.1 of 2012
(Heard Through VC)

1. K.Perumal
2. S.Mayan
3. K.Kathirvel
4. S.Dinakaran
5. S.Sundaram
6. M.Venkatesan

... Petitioners

Vs.

1. The District Collector,
Vellore District,
Vellore.
2. The Block Development Officer,
Alangayam, Vellore District.
3. The Block Development Officer,
Peranambattu Taluk, Vellore District.
4. The Tahsildar,
Vaniambadi Taluk,
Vellore District.
5. The Tahsildar,
Ambur Taluk,
Vellore District.
6. President,
Elayanagaram Panchayat,
Vaniyambadi Taluk,
Vellore District.
7. President,
Papanapalli Panchayat,
Ambur Taluk,
Vellore District

.. Respondents

* * *

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents, their men and subordinates from erecting any bore well in 'Periyakanaru' water course in Elayanagaram Village, Vaniambadi Taluk, Vellore District.

* * *

For Petitioner : Mr.J.Saravana Vel

For Respondents 1,2,4 & 5: Mr.V.Shanmugasundar
Spl.Govt.Pleader

For Respondents 3 and 7 : Mr.V.Jayaprakash Narayanan

ORDER

The petitioner has sought for a Writ of Mandamus, forbearing the respondents, their men and subordinates from erecting any bore well in 'Periyakanaru' water course in Elayanagaram Village, Vaniambadi Taluk, Vellore District.

2. The District Collector, Tirupathur District, who is the first respondent herein, has filed a status report dated 06.10.2020, wherein, in paragraphs 4, 4a and 6, has stated as follows:-

" 4. It is respectfully submitted that it was proposed to erect a single 8" bore well in the "Peria Kanaru" in Survey No.125 at the Odai Poramboke water course in Elayanagaram Village Panchayat in order to provide drinking water to the people of Bappanapalli Village Panchayat. The distance between Peria Kanaru of Elayanagaram Village Panchayat and Bappanapalli Village Panchayat is 5.6 Kms. The survey about the source of water has been appropriately carried out by the technical people and the proposed work was designed in such a way to ensure that water resources of the surrounding agriculture lands was not affected. The work was proposed under Member of Legislative Assembly Constituency Development Scheme in the year 2011-12. But due to the objection raised by the petitioners, the work under MLACDS was modified by the Collector and Chairman, District Rural Development Agency, Vellore, replacing the proposal with a proposal to establish rain water drain in Bappanapalli Panchayat. Thus the

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proposal of erecting a bore well at Elayanagaram Village was dropped.

4a. It is respectfully submitted that in view of the modification of Administrative sanction accorded for the erection of 8" Borewell at Peria Kanaru by the District Collector, Vellore, necessary steps were taken to provide protected drinking water to the public of Bappanapalli Village Panchayat as per the provisions of the Tamil Nadu Panchayat Act, 1994.

...
6. It is further submitted that as on date there is no proposal to erect Borewell at Elayanagaram Village Panchayat.

3. As the District Collector, Tirupathur has categorically stated that as on date, there is no proposal to erect Bore well at Elayanagaram Village Panchayat, the petitioner cannot have any grievance regarding the above status report filed by the District Collector, Tirupathur.

4. In view of the same, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

srn

To

1. The District Collector,
Vellore District, Vellore.
2. The Block Development Officer,
Alangayam, Vellore District.
3. The Block Development Officer,
Peranambattu Taluk, Vellore District.
4. The Tahsildar,
Vaniambadi Taluk, Vellore District.

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5. The Tahsildar,
Ambur Taluk, Vellore District.

6. President,
Elayanagaram Panchayat,
Vaniyambadi Taluk,
Vellore District.

7. President,
Papanapalli Panchayat,
Ambur Taluk, Vellore District.

+lcc to Mr.J.Saravanavel, Advocate SR.35433

+lcc to the Government Pleader SR.35638

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