

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.32288 of 2013
and M.P.No.1 of 2013

K.Thangavel

...Petitioner

Vs.

1.The Tahsildar,
Sulur Taluk,
Coimbatore District.

2.The President,
Poorandampalayam Village Panchayat,
Poorandampalayam,
Sulur Taluk,
Coimbatore District.

...Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus forbearing the respondents from removing the pipelines laid down by the petitioner in the petitioner's one land to another land situated in S.Nos.229/3 and 250/1 at Poorandampalayam Village, Sulur Taluk, Coimbatore District.

For Petitioner : Mrs.R.Hemalatha
for Mr.C.Prakasam

For Respondents : Ms.A.Madhumathi,
Special Government Pleader (R1)
Mr.E.M.S.Natarajan (R2)

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O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus forbearing the respondents from removing the pipelines laid down by the petitioner in his land to draw water from one land to another land situated in S.Nos.229/3 and 250/1 at Poorandampalayam Village, Sulur Taluk, Coimbatore District.

2.It is the case of the petitioner that he laid the pipeline and drawing water from the Well in his land in S.No.229/3 to another land in S.No.250/1. The 2nd respondent, by his letter dated 23.10.2013, called upon the petitioner to remove the pipeline stating that he had laid the pipeline illegal without obtaining permission from the authorities.

3.The petitioner is not in a position to show that he obtained permission from the 1st respondent before laying the pipeline and therefore, the pipelines laid by the petitioner can only be considered as an illegal act done by him without obtaining any permission from the authority.

4.Ms.A.Madhumathi, learned Special Government Pleader appearing for the 1st respondent also submitted that the petitioner had not obtained any permission from the 1st respondent for laying the pipeline.

5.Since the petitioner had laid the pipeline without obtaining any permission from the authorities, the prayer sought for in the Writ Petition cannot be granted. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

va

To

1.The Tahsildar,
Sulur Taluk,
Coimbatore District.

2.The President,
Poorandampalayam Village Panchayat,
Poorandampalayam,
Sulur Taluk,
Coimbatore District.

+1cc to the Government Pleader, S.R.No.27417

W.P.No.32288 of 2013
and M.P.No.1 of 2013

AJS (CO)
KKV/28/08/2020