

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.08.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9098 of 2020
and WMP.No.11088 of 2020

Subramani

..Petitioner

vs

- 1.The District Collector,
Namakkal Collector Office,
Namakkal.
- 2.The Block Development Officer,
Erumapatti Panchayat Union,
Erumapatti Senthamangalam Taluk,
Namakkal District.
- 3.The Executive Officer cum the President,
Muthugapatti Village Panchayat & Post
Namakkal District.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents in particular the 3rd respondent from forbearing of earmarked place in digging giant water well at Maavoothu stream situated at Muthugapatti Village, Senthamangalam Taluk, Namakkal District.

For Petitioner : Mr.M.Saravana Kumar
For Respondents : Mr.E.Balamurugan
Special Government Pleader

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O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the 3rd respondent from constructing a Well in the subject property.

2. The learned counsel appearing for the petitioner submitted that the 3rd respondent had started construction of a Well which will effectively deprive the adjoining

agriculturalists from getting sufficient water for their land. That apart, the construction of a Well has also weakened the house of the petitioner. It was also brought to the notice of this Court that a Suit has already been filed in O.S.NO.78/2020 before the District Munsif Court, Namakkal and the said Suit is pending.

3. It was brought to the notice of this Court that the construction of the Well has already been completed. In view of the same, proceeding to consider the merits of the case will only be an academic exercise. If the petitioner is aggrieved, it is left open to him to agitate all his rights in the pending Suit. No further orders can be passed in the present Writ Petition.

4. The Writ Petition is disposed of accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Namakkal Collector Office,
Namakkal.
- 2.The Block Development Officer,
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Erumapatti Senthamangalam Taluk,
Namakkal District.
- 3.The Executive Officer cum the President,
Muthugapatti Village Panchayat & Post
Namakkal District.

+1cc to Mr.Mr.M.Saravanakumar, Advocate, S.R.No.27231
+1cc to Government Pleader S.R.No.27276

W.P.No.9098 of 2020

SKS (CO)
RV(01/09/2020)