

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10626 of 2020

and

WMP No. 12908 of 2020

Kuberan

...Petitioner

Vs.

1. The Government of Tamilnadu,
Rep. By its Secretary,
Municipal Administration and Water Supply
Department,
Fort St.George,
Chennai 600 009.
- 2.The District Collector,
Office of the Collectorate,
Villupuram.
- 3.The Chief Engineer,
Public Works Department,
Villupuram.
- 4.The Block Development Officer,
Vallam Panchayat Union,
Vallam,
Gingee Taluk,
Villupuram District.
- 5.The Tahsildar,
Gingee Taluk,
Gingee,
Villupuram District.

6.J.Kamalakannan

...Respondents

Prayer .:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of declaration to declare that Odai in S.No.107, Eachur Village, Gingee Taluk, Villupuram District belongs to Eachur Village.

For Petitioner : Mr. D.Babu Varadharajan
for Mr.R.Agilesh

For Respondents : Mr.R.Vijayakhumar

Additional Government Pleader

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2.This writ petition is filed seeking for declaration to declare that Odai in S.No.107, Eachur Village, Gingee Taluk, Villupuram District belongs to Eachur Village.

3. It is claimed by the petitioner that only from the said Eri, the Eachur village people are getting irrigation and while so, the third respondent is trying to put a check dam in the odai, thereby preventing the petitioner and other villagers from getting the irrigation to their respective lands. It is further stated that the check dam is being put up only to facilitate the Karunguli village people. Therefore, the petitioner seeks for mandamus as stated supra.

4.It is seen that the petitioner has already made a representation on 29.07.2020 before the official respondents ventilating the above grievance.

5.Mr.R.Vijayakumar, learned Additional Government Pleader, based on instructions, submitted that the check dam has already been constructed and however, the petitioner's representation will be considered and appropriate orders will be passed by the second respondent/District Collector.

6.Considering the above stated facts and circumstances and without expressing any view on the merits of the contentions raised by both parties, this Writ Petition is disposed of, only by directing the second respondent to consider the grievance of the petitioner expressed through his representation dated 29.07.2020 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to all the parties concerned within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsi/vri
To

1. The Secretary, Govt. of Tamilnadu,
Municipal Administration and Water Supply
Department,
Fort St.George,
Chennai 600 009.

2.The District Collector,
Office of the Collectorate,
Villupuram.

3.The Chief Engineer,
Public Works Department,
Villupuram.

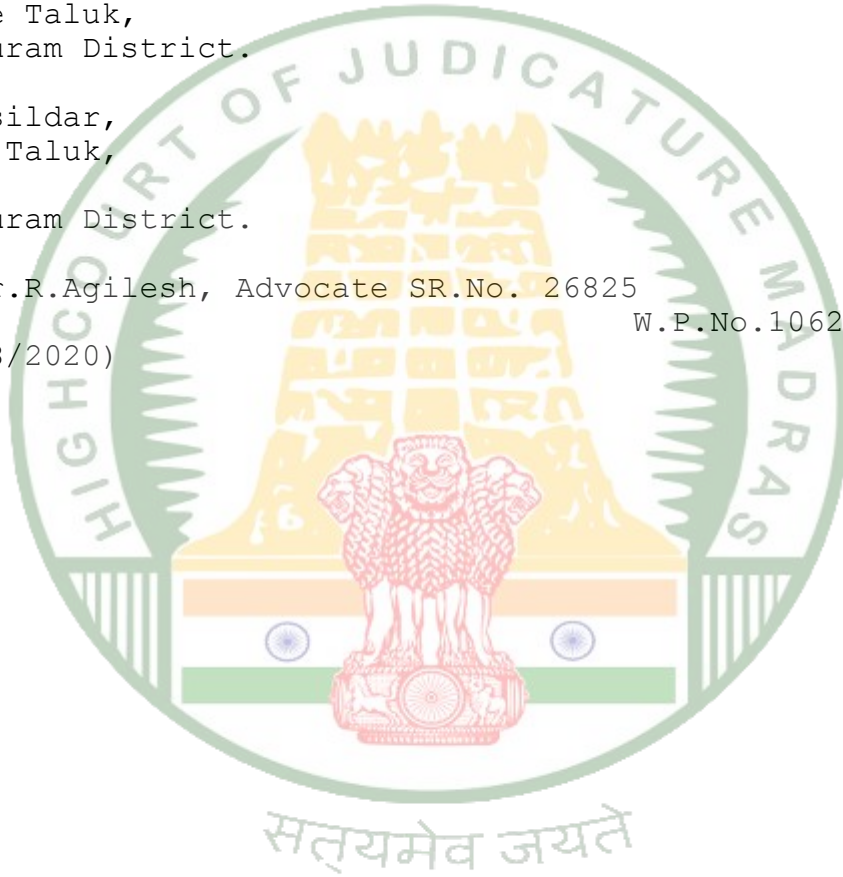
4.The Block Development Officer,
Vallam Panchayat Union,
Vallam,
Gingee Taluk,
Villupuram District.

5.The Tahsildar,
Gingee Taluk,
Gingee,
Villupuram District.

+1cc to Mr.R.Agilesh, Advocate SR.No. 26825

W.P.No.10626 of 2020

A.SK(20/08/2020)



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