



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2020

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.15030 of 2020

G.Markandan

: Petitioner

Vs.

1.The District Collector,
Virudhunagar District.

2The Block Development Officer,
Thiruchuli,
Ma.Reddiyapatty,
Virudhunagar District.

3.Tirupathi

4.Rajakani

5.Pnadi

6.K.Pandiyammal

7.Irulaiye

8.Sethu

9.Madurai Veeran

: Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for Writ of Mandamus directing the first and second respondents to permit the petitioner to dig well in Survey Nos.26/1, 26/11A and 26/11B situated at Chithalakoondur Village, Thiruchuli Taluk and considered on the basis of the petitioner's representation dated 14.11.2018.

For Petitioner

: Mr.C.Suresh Kannan

For R1

: Mr.R.Thilagar

Government Advocate

For R2

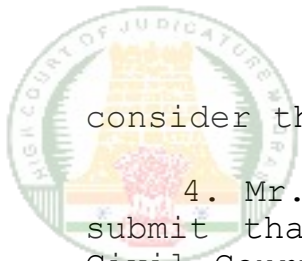
: Mr.M.Murugan

O R D E R

The prayer in the writ petition is to issue a writ of mandamus directing the the respondents 1 and 2 to permit the petitioner to dig a Well in Survey Nos.26/1, 26/11A abd 26/11B situated at Chithalakoondur Village, Thiruchuli Taluk by considering the petitioner's representation dated 14.11.2018.

2. Mr.R.Thilagar, learned Government Advocate takes notice for the first respondent. Mr.M.Murugan, learned Government Advocate takes notice for the second respondent.

3. Mr.M.Murugan, learned Government Advocate would submit that this writ petition has been filed based on the representation given in the year 2018 and if a fresh representation is given, he will



consider the same in accordance with law.

4. Mr.C.Suresh Kannan, learned counsel for the petitioner would submit that even though the petitioner had succeeded before the Civil Court in the suit in O.S.No.56 of 2012, wherein the right of the petitioner has been declared, however, the respondents 1 and 2 are not permitting the petitioner to dig a Well. It is further submitted that the petitioner is ready to give a fresh representation to the second respondent.

5. In the light of the submissions of the learned counsel and taking note of the prayer sought for in this writ petition, this Court, without going into the merits of the matter, directs the petitioner to give a fresh representation to the second respondent within a period of two weeks by enclosing the copy of this order. On receipt of the representation, the second respondent shall consider it and pass orders after giving opportunity to the petitioner as well as the respondents 3 to 9 purely on merits and in accordance with law, within a period of two months therefrom.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg-2/CM

To

1.The District Collector,
Virudhunagar District.

2.The Block Development Officer,
Thiruchuli,
Ma.Reddiyapatty,
Virudhunagar District.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-20635[F] dated 23/10/2020)

+1 CC to M/s.GP (SR-20658[F] dated 28/10/2020)

W.P(MD)No.15030 of 2020

22.10.2020

BK(CO)

KK(09.11.2020) 2P 5C

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