



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2020

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THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)No.17629 of 2020

WEB COPY

D.Subramanian

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.

3.The Block Development Officer,
Kamuthi Union Panchayat Office,
Kamuthi Taluk,
Ramanathapuram District.

4.The President,
Kadamangalam Panchayat,
Kamuthi Taluk,
Ramanathapuram District.

5.Reflex Energy Limited,
No.67, Bazullah road,
T.Nagar, Chennai-17.

6.NLC India Limited,
Neyveli-607 801.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 4 to consider the petitioner's representation dated 24.10.2020 and take appropriate action against the respondents 5 and 6 for their illegal encroachment upon the surplus water channel, illegal construction of buildings in agricultural lands in Kadamangalam Village, Kamuthi Taluk, Ramanathapuram District.

For Petitioner
For Respondents

: Mr.M.Karthikeyavenkitachalapathy
: Mrs.J.Padmavathi Devi
Special Government Pleader
for R.1 to R.3



: Mr.N.Shanmugaselvam
Additional Government Pleader
for R.4

ORDER

WEB COPY (Order of the Court was made by N.KIRUBAKARAN,J)

The Writ Petition is filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to consider the petitioner's representation dated 24.10.2020 and take appropriate action against the respondents 5 and 6 for their illegal encroachment upon the surplus water channel, illegal construction of buildings in agricultural lands in Kadamangalam Village, Kamuthi Taluk, Ramanathapuram District.

2. The petitioner would contend that the pathway, which has already been used by all the villagers, has been blocked, as the private respondents have purchased the entire area about 100 Acres for the purpose of erecting Solar Panel Plant.

3. Heard the learned Counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 3 and the learned Additional Government Pleader appearing for the fourth respondent.

4. If at all, any pathway is there, the petitioner failed to state as to the persons who are the original owners, from whom, the private respondents have purchased the land and what is the access to the said land. Further, there is no document to show that there is an existence of pathway and it is being used by all the villagers. Hence this Court is of the view that there is no public interest involved in this case. It seems that with *mala fide* intention only, this Writ Petition is filed. Therefore,, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Crl Side)

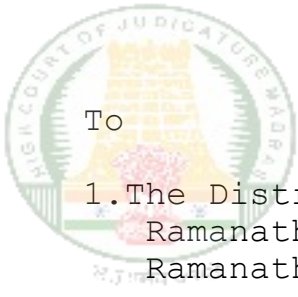
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Sub Assistant Registrar(CS)

SSL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.

3.The Block Development Officer,
Kamuthi Union Panchayat Office,
Kamuthi Taluk, Ramanathapuram District.

4.The President,
Kadamangalam Panchayat,
Kamuthi Taluk,
Ramanathapuram District.

W.P. (MD) No.17629 of 2020
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sr (CO)

KK(16.12.2020) 3P 5C