



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.01.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.27259 of 2019

Palsamy

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Pudukottai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi,
Pudukottai District.

3.The Commissioner,
Panchayat Union,
Manamelkudi Panchayat.

4.The Tahsildar,
Office of Tahsildar,
Manamelkudi,
Pudukkottai District

5.The Village Administrative Officer,
Kottaipattinam Village,
Pudukkottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to unsoil the water channel 'as was where was' and 'as was what was' to set out excess water from the petitioner's agricultural land in Survey No.138/2 to an extent of 0.11.5 Ares (29 cents), which situate at Viswanathapuram Village, Manamelkudi Taluk, Pudukottai District based on the petitioner's representation dated 02.07.2019.

For Petitioner : Mr.K.Srinivasaragavan

For Respondents : Mr.M.Pandiarajan
Additional Government Pleader



ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

2. The prayer in this writ petition is for a Mandamus, directing the respondents to unsoil the water channel to set out the excess water from the petitioner's agricultural land in Survey No.138/2 to an extent of 0.11.5 Ares (29 cents), which situate at Viswanathapuram Village, Manamelkudi Taluk, Pudukottai District, based on the petitioner's representation dated 02.07.2019.

3. The learned Additional Government Pleader appearing for the respondents would submit that there seems to be some rivalry between the petitioner and his neighbours and there is also a construction of a compound wall, which has resulted in stagnation of water as complained by the petitioner.

4. In view of the above, considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the case, the fourth respondent is directed to consider the representation of the petitioner, dated 02.07.2019 and pass orders on the same, on merits and in accordance with law after issuing notice to the petitioner as well as the persons involved in this matter, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.
No Costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pm

To:

1.The District Collector,
Office of the District Collector,
Pudukottai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi, Pudukottai District.



3.The Commissioner,
Panchayat Union,
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4.The Tahsildar,
Office of Tahsildar,
Manamelkudi,
Pudukkottai District

5.The Village Administrative Officer,
Kottaipattinam Village,
Pudukkottai District.

+1 CC to M/s.K.SRINIVASARAGAVAN, Advocate (SR-4443[F] dated 03/02/2020)

+1 CC to M/s.SPL.GP (SR-4308[F] dated 31/01/2020)

W.P (MD)No.27259 of 2019
30.01.2020

JMN(13.02.2020) 3P : 8C