

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.20109 of 2018

M.Selvakumar

.. Petitioner

Vs

1 The District Collector
Ariyalur District
Ariyalur.

2 The Revenue Thasildhar
Sendurai Taluk
Senthurai, Ariyalur District.

3 The Block Development Officer
Sendurai Panchayat Union
Sendurai, Ariyalur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to pass appropriate orders to ensure that water body in S.F.No.9/16, 11, 12, 13, Unjini Village and S.F.No.570/1, 568 Senthurai Village, Ariyalur District is not encroached to lay any road.

For Petitioner

: Mr.A.Yogeshwaran

For Respondents

: Mr.K.S.Suresh
Government Advocate

ORDER
(Order of the Court was made by
SENTHILKUMAR RAMAMOORTHY, J.)

This writ petitioner seeks a direction to the first respondent to ensure that waterbody in S.F.No.9/16, 11, 12, 13, Unjini Village and S.F.No.570/1, 568 Senthurai Village, Ariyalur District is not encroached to lay any road. The petitioner states that a representation was given in this regard on 23.7.2018 to the first respondent, but no action has been taken thereon.

2. In several cases of this nature, this Court observed that it is not inclined to exercise discretionary jurisdiction in public interest litigation unless the matter involves significant public interest.

3. Accordingly, without examining the merits of the representation dated 23.7.2018, the official respondents concerned are directed to dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the affected parties. In the event the petitioner is aggrieved by such decision, it is open to the petitioner to pursue his remedies in accordance with law, otherwise than by a public interest litigation, after establishing his locus standi in that regard.

4. W.P.No.20109 of 2018 is disposed of on the above terms. There will be no order as to costs. Consequently, W.M.P.No.23588 of 2018 is closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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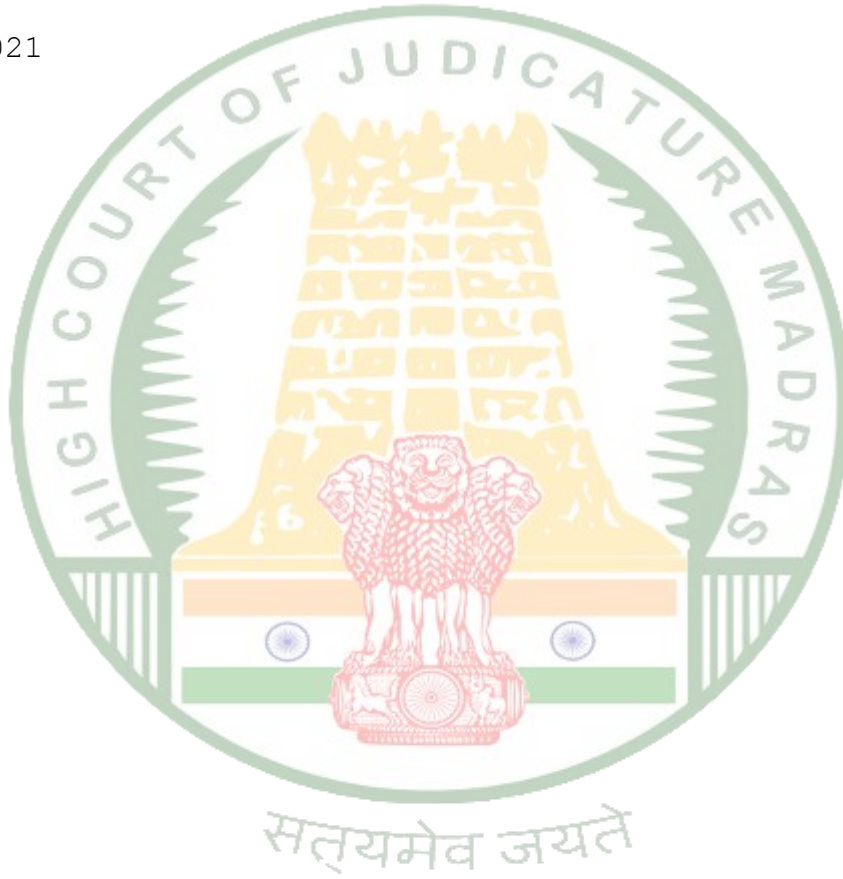
1 The District Collector
Ariyalur District
Ariyalur.

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- 2 The Revenue Thasildhar
Sendurai Taluk
Senthurai, Ariyalur District.
- 3 The Block Development Officer
Sendurai Panchayat Union
Sendurai, Ariyalur District.

W.P.No.20109 of 2018

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