

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.04.2021
CORAM :
THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY
W.P.No.8994 of 2021

Rangasamy ... Petitioner

Vs.

1.The District Collector
Tiruppur District,
Tiruppur.

2.The Tahsildar
Avinashi Taluk,
Avinashi,
Tiruppur District.

3.The Block Development Officer
Avinashi,
Tiruppur District.

4.The President
Sembiyanallur Village Panchayat,
Sembiyanallur, Avinashi Taluk,
Tiruppur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents herein, their men or subordinates from in any way closing the Odai (Vaari) in S.F.No.185 situate at Sembiyanallur Village, Avinashi Taluk, Tiruppur District and laying road in it.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.V.Jayaprakash Narayanan
State Government Pleader

ORDER
(made by SENTHILKUMAR RAMAMOORTHY, J.)

The petitioner seeks to prevent the respondents from closing the Odai at Sembianallur Village.

2. The writ petitioner states that the north south Odai pallam, which is located in S.F.No.184, Sembianallur Village runs for more than three kilometres. It is stated that, at the instance of a developer, the respondents are endeavouring to

close the east west Odai so as to facilitate the construction of an apartment complex by the said developer. If the Odai is closed, it would impede the natural flow of water resulting in huge and irreparable loss to the villagers. The petitioner states that objections were sent in this regard to the respondents on 10.02.2021, but in spite of receipt thereof, the work is in progress.

3. Mr.V.Jayaprakash Narayanan, learned State Government Pleader, accepts notice on behalf of all the respondents and submits that the second and third respondents are the appropriate authorities to consider and dispose of the representation of the petitioner.

4. In the aforesaid facts and circumstances, without examining the merits of the matter, the second and third respondents are directed to consider the representation of the petitioner dated 10.02.2021 and dispose of the same by a reasoned order within a period of eight weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to all parties affected thereby, including the developer referred to in paragraph four of the affidavit.

5. W.P.No.8994 of 2021 is disposed on the above terms. There will be no order as to costs.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

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To:

- 1.The District Collector
Tiruppur District,
Tiruppur.
- 2.The Tahsildar
Avinashi Taluk,
Avinashi,
Tiruppur District.
- 3.The Block Development Officer
Avinashi,
Tiruppur District.
- 4.The President
Sembiyanallur Village Panchayat,
Sembiyanallur, Avinashi Taluk,
Tiruppur District.

+1CC TO MR.K.GОВI GANESAN, ADVOCATE, SR.NO. 22622
+1CC TO M/S.SPECIAL GOVERNMENT PLEADER, SR.NO. 22498

W.P.No.8994 of 2021

PL (CO)
KKN 28.04.2021



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