

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.7832 of 2021

T.Pandian

.. Petitioner

Vs.

1. The Assistant Director (Panchayat/Audit),
Office of the Assistant Director,
Perambalur.
2. The Executive Engineer,
Public Works and Water Resources Department,
Office of the Executive Engineer,
Perambalur District.
3. The Block Development Officer (Village Panchayat),
Veppur, Kunnam Taluk,
Perambalur District.
4. The President,
Andi Kurambalur Village Panchayat,
Kunnam Taluk,
Perambalur District.
5. Ravichandran
6. Krishnamoorthy
7. Rajendran

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to consider the representation of the petitioner and to direct the official respondents to take necessary action on the representation of the petitioner dated 10.2.2021 within a time frame.

For Petitioner : Mr.G.Ilamurugu

For Respondents : Ms.R.J.Radhika
Government Advocate
for respondent Nos.1 to 4

ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy,J.)

The writ petitioner complains about the grant of a lease/licence for fishing in the lake situated at Survey No.60 at Andi Kurumbalur Village, Kunnam Taluk, Perambalur District.

2. The writ petitioner asserts that permission should not be granted to any third party conferring fishing rights in the said lake because the water is used for irrigation and for drinking water purposes. In spite of submitting representations to the official respondents, it is stated that no action is being taken thereon although the actions complained of are contrary to the provisions of the Tamil Nadu Panchayat Act, 1994 and the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007.

3. Ms.R.J.Radhika, learned Government Advocate, accepts notice on behalf of respondents 1 to 4 and states that the representation dated 10.2.2021 of the petitioner would be considered and disposed of by respondents 2 to 4.

4. Accordingly, without expressing any opinion on the merits of the matter, respondents 2 to 4 herein are directed to consider the representation dated 10.2.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to all affected parties, including respondents 5 to 7. On account of the fact that the merits of the matter have not been examined and considering the fact that respondents 2 to 4 have been directed to hear respondents 5 to 7 before passing orders, the writ petition is being disposed of without notice to respondents 5 to 7. Such reasoned order shall be passed within a period of eight weeks from the date of receipt of a copy of this order.

5. W.P.No.7832 of 2021 is disposed of. There will be no order as to costs. Consequently, W.M.P.No.8351 of 2021 is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

BBR

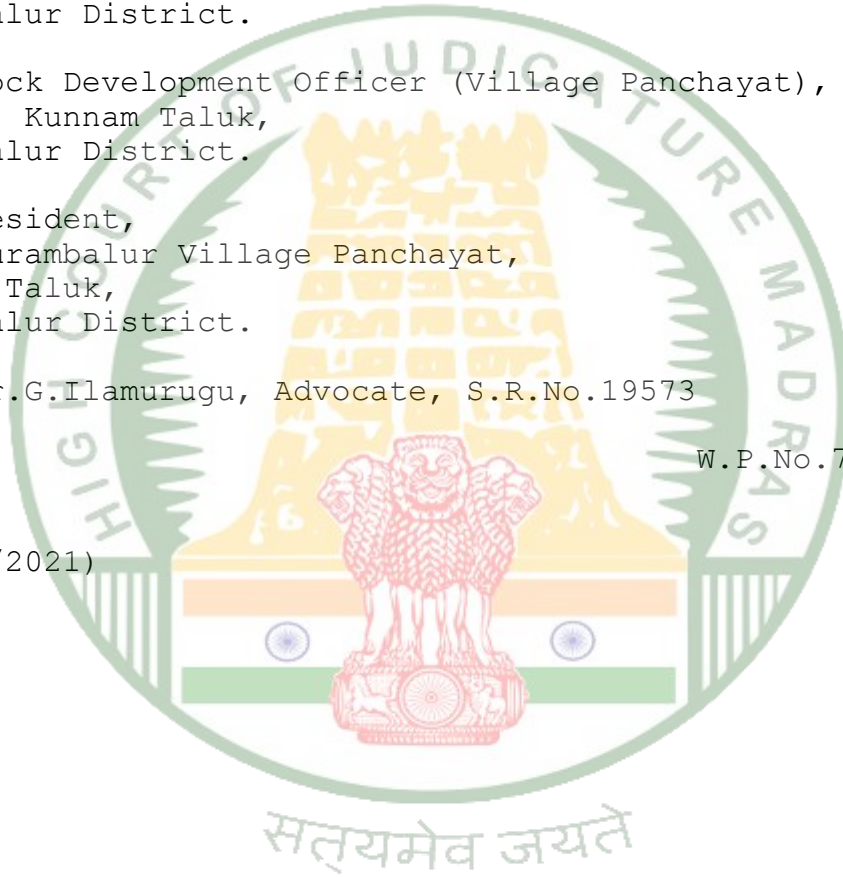
To:

1. The Assistant Director (Panchayat/Audit),
Office of the Assistant Director,
Perambalur.
2. The Executive Engineer,
Public Works and Water Resources Department,
Office of the Executive Engineer,
Perambalur District.
3. The Block Development Officer (Village Panchayat),
Veppur, Kunnam Taluk,
Perambalur District.
4. The President,
Andi Kurambalur Village Panchayat,
Kunnam Taluk,
Perambalur District.

+1cc to Mr.G.Ilamurugu, Advocate, S.R.No.19573

W.P.No.7832 of 2021

PL (CO)
TE (17/04/2021)



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