



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.11946 of 2021

S.Palanisamy

..Petitioner

vs.

1.Village Administrative Officer,
Maravapalayam Village,
Kangayam Taluk.

2.Revenue Officer,
Nathakadaiyur,
Tiruppur District.

3.Maravapalayam Panchayat Union,
Rep by its President,
Maravapalayam Panchayath,
Kangayam Taluk.

4.The Tahsildar,
Maravapalayam Post,
Kangaiyam Taluk,
Tiruppur District.

5. Revenue Divisional Officer,
Maravapalayam Panchayath,
Kangayam Taluk.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 not to prevent him from laying the pipes under the earth over the lands comprised in S.Nos.531, 137, 135 and 141 to irrigate his lands measuring an extent of 3.10 acres situate in R.S.Nos.114/A and R.S.No.140/1B as permitted in Resolution No.62 dated 26.01.2011 of the Maravapalayam Panchayat Union and as required in the petitioner's representation dated 09.04.2021.

For Petitioner : Mr.D.Nellaiappan

For Respondents : Mr.M.R.Gokul Krishnan,

Government Advocate for R1, R2, R4, R5

Mr.M.Elumalai for R3



O R D E R

The petitioner is before this Court seeking a direction to the respondents 1 and 2 not to prevent him from drawing water by laying pipelines in the lands comprised in S.Nos.531, 537, 135 and 141 to irrigate the lands situated in R.S.Nos.114/A and 140/1B, based on the resolution of the Maravapalayam Panchayat Union.

2.. Mr.M.R.Gokul Krishnan, learned Government Advocate appearing for the respondents, 1, 2, 4, and 5 would submit that the petitioner has obtained permission from the Panchayat by way of resolution and has not obtained permission from revenue authorities and the petitioner has to approach the revenue authorities to grant such permission and therefore, the relief sought for in this writ petition cannot be granted.

3. It is an admitted fact that the petitioner has obtained permission from the Panchayat by way of resolution and the copy of the said resolution has been filed in the typed set of papers and the petitioner has not obtained permission from the revenue authorities. Unless the petitioner obtain permission from the revenue authorities as per the Standing Orders of the Board of Revenue or any other provisions of the Act, the prayer sought for by the petitioner cannot be granted.

4. In view of the above, this Writ Petition stands dismissed.It is open to the petitioner to approach the authorities concerned seeking permission for the aforesaid claim made in the writ petition. No costs.

s/d-

Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

Jvm

To

1.Village Administrative Officer,
Maravapalayam Village,
Kangayam Taluk.

2.Revenue Officer,
Nathakadaiyur,
Tiruppur District.

3.The President,
Maravapalayam Panchayat Union,
Maravapalayam Panchayath,
Kangayam Taluk.



4. The Tahsildar,
Maravapalayam Post,
Kangaiyam Taluk,
Tiruppur District.

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5. Revenue Divisional Officer,
Maravapalayam Panchayath,
Kangayam Taluk.

+1 CC to Mr.D.Nellaiappan, Advocate sr 29531.

W.P.No.11946 of 2021

KV(CO)
SP(22/07/2021)