

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12600 of 2021

J.Kumar

.. Petitioner

Vs.

1 The District Collector,
Thiruvarur District, Thiruvarur.

2 The Revenue Divisional Officer,
Thiruvarur District, Thiruvarur.

3 The Tahsildar,
Valangaiman Taluk, Thiruvarur District,
Thiruvarur.

4 The Block Development Officer,
Valangaiman Taluk, Valangaiman Town,
Thiruvarur District.

5 Inspector of Police
Valangaiman Police Station,
Thiruvarur District.

6 Backiyalakshmi

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the third respondent to consider the representation dated 01.06.2021 in respect to restriction to sixth respondent from illegal pumping of contaminated water from the Inamkiliyur Village pond to village street and consequential extraction sand from the pond.

For Petitioner : Mr.S.Ravichandran

For Respondents: Mr.P.Muthukumar
Counsel for Government
for RR 1 to 5

* * * * *

ORDER
(Made by Senthilkumar Ramamoorthy, J.)

The petitioner complains of the leasing of fishery rights in the village pond to third parties. The writ petitioner alleges that the sixth respondent has leased the pond in the village to third parties and that such third parties are releasing contaminated water from such pond onto the streets. In spite of making several oral requests and a written representation dated 01.06.2021, it is stated that no action has been taken to restrain the sixth respondent from carrying out such activities.

2. Mr.P.Muthukumar, learned counsel for the Government accepts notice on behalf of respondents 1 to 5. He states that there are prior disputes as between the petitioner and the sixth respondent and that the present petition is a result thereof. He further states that the third respondent would be the appropriate authority to decide the representation submitted by the petitioner.

3. Accordingly, without going into the merits of the matter, the third respondent herein is directed to consider the representation dated 01.06.2021 of the petitioner and dispose of the same by providing a reasonable opportunity of hearing to the petitioner, the sixth respondent and any other parties likely to be affected by such decision. Such reasoned order shall be passed within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that if there are any disputes as between the petitioner and the sixth respondent relating to issues, which should be decided by a civil Court, the third respondent shall not decide such matters and confine the decision making to matters within its jurisdiction.

W.P.No.12600 of 2021 is disposed of in these terms without any order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra

To:

- 1 The District Collector,
Thiruvarur District, Thiruvarur.

- 2 The Revenue Divisional Officer,
Thiruvarur District, Thiruvarur.
- 3 The Tahsildar,
Valangaiman Taluk, Thiruvarur District,
Thiruvarur.
- 4 The Block Development Officer,
Valangaiman Taluk, Valangaiman Town,
Thiruvarur Distirct.
- 5 Inspector of Police
Valangaiman Police Station,
Thiruvarur District.

+1cc to the Government Pleader, S.R.No.27796

W.P.No.12600 of 2021

LN(CO)
CB(15/06/2021)



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