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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2021

CORAM

THE HON'BLE Mr. JUSTICE D.KRISHNAKUMAR

W.P.No. 12991 of 2021

S.Rajiv Gandhi,

...Petitioner

Vs

1. The District Collector,  
Cuddalore District,  
Cuddalore.
2. The Assistant Director (Panchayat),  
O/o. The Assistant Director,  
Vridhachalam,  
Cuddalore District.
3. The Tahsildar,  
Tittakudi Taluk,  
Tittakudi, Cuddalore District.
4. The Block Development Officer,  
O/o. Panchayat Union,  
Nallur, Cuddalore District.
5. The Revenue Inspector,  
Pennadam Firka,  
Pennadam, Tittakudi Taluk,  
Cuddalore District.
6. The Village Administrative Officer,  
Pe.Poovanur, O.Keeranoor Village,  
Tittakudi Taluk,  
Cuddalore District.
7. The Village President,  
Pe.Poovanur Panchayat,  
Konur Post, Pennadam Via,  
Tittakudi Taluk,  
Cuddalore District.

...Respondents



Prayer: Writ Petition is filed under Article 226 of Constitution of India for writ of mandamus, directing the respondents to dredge and to construct a solid foundation around the water bank of the pond in the "Kuttai Poramboke" in Survey Nos.54/3 and 75 to an extent of 1.00.5 Acres and 1.23.0 Acres respectively which are situated at O.Keeranur Revenue Village, Tittakudi Taluk, Cuddalore District under the Kudimaramathu Scheme within a stipulated period fixed by this Hon'ble Court.

For Petitioner : Mr.C.Samivel

For Respondent  
No.1 to 3 & 5 to 7 : Mr.A.Selvendran, GA

Respondent No.4 : Mr.M.R.Gokul Krishnan

#### O R D E R

This Writ petition is filed to direct the respondents to dredge and to construct a solid foundation around the water bank of the pond in the "Kuttai Poramboke" in Survey Nos.54/3 and 75 to an extent of 1.00.5 Acres and 1.23.0 Acres respectively which are situated at O.Keeranur Revenue Village, Tittakudi Taluk, Cuddalore District under the Kudimaramathu Scheme within a stipulated period fixed by this Hon'ble Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocates appearing for the respondents and perused the records.

3. The case of the petitioner is that the petitioner has filed a writ petition in W.P.No. 8673 of 2017 to direct the respondents to remove the encroachment caused by the private parties over the "Kuttai Poramboke" in respect of the Survey Nos. 54/3 & 75 to an extent of 1.00.5 Acres to 1.23.0 Acres respectively. Later the said encroachment was removed by the 3<sup>rd</sup> respondent. Subsequently, on 30.09.2019 the petitioner sent a representation to the 4<sup>th</sup> respondent requesting to dredge the aforesaid land and to establish the bank around the water bed and make it accessible to the general public for cultivate. Since no response from the respondents, the present writ petition is filed.

4. The learned counsel for the petitioner submitted that even though the petitioner has sought for the aforesaid relief, he restricted his prayer to the extent to issue directions to the District Collector/1<sup>st</sup> respondent herein to consider his



representation dated 30.09.2019 and pass orders. Further he undertakes to make fresh representation to the District Collector/1<sup>st</sup> respondent.

5. In view of the submissions made by the learned counsel for the petitioner, this Court directs the petitioner to submit a fresh representation to the 1<sup>st</sup> respondent/District Collector, Cuddalore District along with a copy of his earlier representation dated 30.09.2019. On such representations being made, the 1<sup>st</sup> respondent/District Collector, Cuddalore District shall consider the said representations of the petitioner and pass orders on merits in accordance with law as expeditiously as possible.

With the above directions, the writ petition stands disposed of. No costs.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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Cuddalore.
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7. The Village President,  
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+1 CC to The Government Pleader, Sr 32023.

W.P.No. 12991 of 2021

UM(CO)  
LS(02/08/2021)