



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.15989 of 2021

P.Priyanka

... Petitioner

Vs

The Tahsildar,
Ootacamand Taluk,
Ootacamand,
Nilgiris District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's representation dated 12.07.2021 seeking to permit the petitioner to use water from the well situated in S.No.1025/1 to irrigate the petitioner's patta land in S.No.1020 on payment of necessary charges as per the proceeding of the respondent dated 21.08.1963.

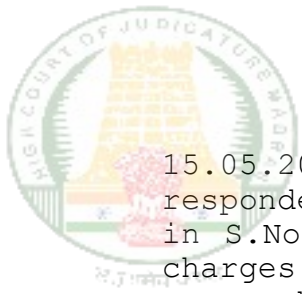
For Petitioner : Mr.A.P.Sathyamoorthy

For Respondent : Mr.Stalin Abhimanyu,
Government Counsel

O R D E R

Mr.Stalin Abhimanyu, learned Government Counsel takes notice on behalf of the respondent. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2.It is the case of the petitioner that pursuant to the proceedings of the Collector, Nilgiris District, dated 19.07.1963, the respondent granted permission to her grandfather on 21.08.1963, for taking water from the Government well situated in S.No.1025/1 at Ootacamund, Nilgiris District, to irrigate the petitioner's patta land in S.No.1020, upon payment of necessary charges (water cess). Thereafter, the petitioner's father availed the said benefit of taking water from the government well for cultivating his land and he died on



15.05.2019. It is the grievance of the petitioner that the respondent is now denying the right of using water from the well in S.No.1025/1, for irrigation purpose, on payment of necessary charges as granted by the respondent on 21.08.1963. Hence, she approached the respondent in person on 15.02.2021 and made a request in this regard. Finding no response, she made a written representation on 12.07.2021 to the respondent, which is also kept pending without any action. Therefore, the petitioner has come up with this writ petition seeking a mandamus to the respondent to pass orders on the said representation.

3.Heard both sides and perused the materials placed before this court.

4.Considering the limited relief sought in this writ petition, this court without going into the merits of the case, directs the respondent to consider the representation made by the petitioner on 12.07.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vum

To

The Tahsildar,
Ootacamand Taluk,
Ootacamand,
Nilgiris District.

+1cc to Mr.A.P.Sathyamoorthy, Advocate, S.R.No.39919
+1cc to the Government Pleader, S.R.No.40400

W.P.No.15989 of 2021

NRL (CO)
CT(23/09/2021)