

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.13996 of 2020

C.Gopi

... Petitioner

-vs-

1.The District Collector,
Villupuram District

2.The Block Development Officer,
Koliyanur Panchayat Union
Koliyanur, Villupuram Taluk
Villupuram District

3.The Tahsildar,
Villupuram Taluk & District

... Respondents

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to remove the encroachments made in Ilankadu Yeri situated at S.Nos.163, 164, 165, 166, 167/2, 180, 181, 183, 184, Ilankadu Village, Villupuram Taluk & District, Villupuram and pass such further orders as the Court may deem fit.

For Petitioner : Mr.R.Hemalatha

For Respondents: Mr.Jayaprakash Narayanan,
State Government Pleader

ORDER

(Made by Senthilkumar Ramamoorthy, J.)

The petitioner complains that encroachments are being made in Ilankadu Yeri, Villupuram Taluk & District. According to the petitioner, the said lake serves as the main water source for the village. He further states that a representation dated 19.06.2020 was made in this connection but that no action was taken.

2. In several matters of this nature, this court had observed that it is not inclined to exercise discretionary

jurisdiction in public interest litigation unless the matter has a significant impact on the larger public interest.

3. Accordingly, without examining the merits or tenability of the petitioner's representation, the first respondent herein is directed to consider such representation and dispose of the same by a speaking order after providing a reasonable opportunity to all affected parties. Such speaking order shall be issued within a period of six weeks from the date of receipt of a copy of this order. In the event the petitioner is aggrieved thereby, it is open to the petitioner to pursue legal remedies, otherwise than by way of a public interest litigation, after establishing his locus standi.

4. W.P.No.13996 of 2020 is disposed of. There will be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To:

- 1.The District Collector,
Villupuram District
- 2.The Block Development Officer,
Koliyanur Panchayat Union
Koliyanur, Villupuram Taluk
Villupuram District
- 3.The Tahsildar,
Villupuram Taluk & District

+1cc to Mr.R.Hemalatha, Advocate, S.R.No. 13027

W.P.No.13996 of 2020

GP(CO)
GN(16/03/2021)