

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26342 of 2014

and

M.P.No.1 of 2014

K.Ponnusamy

... Petitioner

Vs

1. The District Collector,
Collectorate Building,
Coimbatore.
2. The Superintendent Engineer,
Public Works Department,
Water Resource Organisation,
Pollachi, Alliyar Basin Division,
Coimbatore District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the 2nd respondent made in proceedings No.SE.MU.KA.No.THONUPE/VAA/ KO.10/357M dated 15.09.2014 and quash the same.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.T.Venkatesh Kumar
Special Government Pleader

O R D E R

The order dated 15.09.2014 cancelling the permission granted in favour of the petitioner for using the right side of Parambikulam Alliyar Project as road to take away the agricultural materials from his lands is under challenge in the present writ petition.

2.The authorities competent granted permission in favour of the writ petitioner to use the road for a period of one year in proceedings dated 31.01.2014. The permission was granted on condition. The terms and conditions of permission stipulates

that permission was granted for a period of one year and therefore, the permission granted expired in the year 2015 itself.

3.The grievance of the writ petitioner is that the impugned order of cancellation of permission was issued on certain allegations against the petitioner. The order impugned states that the petitioner had violated the terms and conditions stipulated in the permission letter.

4.However, this Court is of an opinion that already 6½ years had lapsed and the period also expired in January 2015 itself. Under these circumstances, the petitioner is at liberty to submit a fresh application for consideration, if he has chosen to do so.

5.With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cse

To

1. The District Collector,
Collectorate Building,
Coimbatore.
2. The Superintendent Engineer,
Public Works Department,
Water Resource Organisation,
Pollachi, Alliyar Basin Division,
Coimbatore District.

+1cc to Mr.N.Umapathi, Advocate, S.R.No.69304
+1cc to the Government Pleader, S.R.No.69842

W.P.No.26342 of 2014

VG-II[co]
NSK 10/01/2022