



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND

The Hon'ble Mrs. JUSTICE R.HEMALATHA

W.P.(MD)No.1790 of 2020

and

W.M.P(MD)No.1531 of 2020

Krishnan

... Petitioner

Vs

1.The District Collector,
Kanyakumari District,
Kanyakumari District.

2.The Assistant Executive Engineer,
WRO, PWD, Thukkalay,
Kanyakumari District.

3.The Block Development Officer,
Kuruthancode, Kalkulam Taluk,
Kanyakumari District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondent to maintain the sub channel in Survey No.487/2 and 488/17 in Kuruthancode, village panchayt, Kalkulam Taluk, Kanyakumari District as such without converting its character from water channel to road and consequently, direct the respondents to protect the same without changing its character.

For Petitioner	: Mr.P.T.Ramesh Raja
For Respondent Nos.1&2	: Mr.N.Shanmuga Selvam Special Government Pleader
For Respondent No.3	: Mr.A.Thiyagarajan, Government Advocate

ORDER

(Order of the Court was made by **The Hon'ble Chief Justice**)

The petitioner complains of the apathy on the part of the respondents, to revive a water channel that existed over a long period of time.

2. Though the petitioner has made a written representation to



the respondent authorities, it will be open to the petitioner to make a fresh, detailed representation to the 2nd respondent within four weeks from date.

3. Within six weeks of the receipt of such representation, the 2nd respondent will consider the same in a proper perspective and in accordance with law and will communicate the reasoned decision thereon to the petitioner.

4. W.P. (MD) No. 1790 of 2020 is disposed of without any order as to the costs. W.M.P (MD) No. 1531 of 2020 is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

SJ/DSK

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Collector,
Kanyakumari District,
Kanyakumari District.
2. The Assistant Executive Engineer,
WRO, PWD, Thukkalay,
Kanyakumari District.
3. The Block Development Officer,
Kuruthancode, Kalkulam Taluk,
Kanyakumari District.

+1 CC to Mr. P. T. RAMESH RAJA, Advocate (SR-6997[F] dated 24/02/2021)
+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-7338[F] dated 25/02/2021)

Order made in
W.P. (MD) No. 1790 of 2020 and
W.M.P (MD) No. 1531 of 2020
24.02.2021

KUN (CO)
SRS (03/03/2021) 2P : 6C

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