



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.7448 of 2021

P.Bensingh

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
At Nagercoil.
- 2.The District Revenue Officer,
Nagercoil,
Kanyakumari District.
- 3.The Assistant Director (Town Panchayat),
Nagercoil,
Kanyakumari District.
- 4.The Sub Collector,
Padmanabhapuram,
Kanyakumari District.
- 5.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
- 6.The Executive Officer,
Kadiyal Panchayat,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to permit the petitioner and his villagers to maintain including deslitting, cleaning and deepening the pond situated in Survey No.347/1, 2 of Kadayal Panchayat, Vilavancode Taluk, Kanyakumari District at our own cost under the supervision of the respondents without causing any damage to the pond and any financial implication to the exchequer by considering the representation of the petitioner dated 03.03.2021 within a stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr.Herold Singh

For Respondent : Mr.K.P.Krishnadass

<https://hcservices.ecourts.gov.in/hcservices/>

Special Government Pleader



ORDER

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The writ petitioner has sought for issuance of a Writ of Mandamus, directing the respondents to permit the petitioner and his villagers to maintain the pond, including de-slitting, cleaning and deepening, situated in Survey No.347/1, 2 of Kadayal Panchayat, Vilavancode Taluk, Kanyakumari District, at their own cost under the supervision of the respondents without causing any damage to the pond and any financial implication to the exchequer by considering the representation of the petitioner dated 03.03.2021 within a time frame.

2.It is not possible for this Court to grant the relief as sought for by the petitioner. In this regard, the petitioner has to approach the authorities concerned by submitting their requests in writing.

3.Accordingly, the petitioner is permitted to approach the authorities concerned with a written request along with the copy of this order and on receipt of the same, the concerned authority is directed to consider the same and pass orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and others concerned, within a period of four weeks from the date of receipt of such request.

4.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar()

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,
At Nagercoil.
- 2.The District Revenue Officer,
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Kanyakumari District.

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Vilavancode Taluk,
Kanyakumari District.

6.The Executive Officer,
Kadiyal Panchayat,
Kanyakumari District.

+1 C.C. To S.C.Herold Singh Sr.16428/2021

+1 C.C. To Special Government Pleader Sr.No.16499/2021

W.P. (MD)No.7448 of 2021
17.04.2021

sj
RM 19/05/2021 (3P-9C)