



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.10620 of 2021

WEB COPY

P.M.Boopathy

... Petitioner

Vs.

1.The District Collector,
Dindigul,
Dindigul District.

2.The Divisional Engineer,
Highways Department,
Palani,
Dindigul District.

3.The Assistant Director,
Municipalities,
Dindigul, Dindigul District.

4.R.R.Infrastructure Ltd.,
Through its Managing Director.
P.B.M.C, K.K. Nagar,
Madurai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 2nd respondent herein to consider representation dated 25.02.2021 of the petitioner in respect of damages caused to irrigation pipes lying in S.No.689/1 and 689/3 at Kodalvavi Village, Dindigul District by the 4th respondent and also direct the 2nd respondent to pass appropriate order within the time fixed by this Court.

For Petitioner : Mr.R.Ramadurai

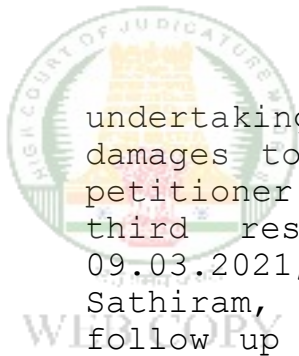
For Respondents : Mr.M.Lingadurai,

Government Advocate for R1 to R3

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the second respondent to consider the representation made by the petitioner on 25.02.2021, wherein the petitioner has sought for repairing the damages caused to his irrigation pipes in the subject property by the fourth respondent.

2. The case of the petitioner is that the fourth respondent was allotted with the work of construction of a bridge. While
<https://hcservices.ecourts.gov.in/hcservices/>



undertaking the work, the fourth respondent seems to have caused damages to the irrigation pipes in the property belonging to the petitioner. The petitioner made a complaint in this regard to the third respondent and the third respondent by letter dated 09.03.2021, directed the Block Development Officer, Reddiyar Sathiram, to take action and file a report. Since there was no follow up and no action was taken, the present Writ Petition has been filed before this Court.

3. The learned Government Advocate appearing on behalf of the respondents 1 to 3 submitted that the fourth respondent has given an undertaking before the second respondent to the effect that he will repair the damages caused to the irrigation pipes belonging to the petitioner. The learned Government Advocate submitted that this Court can fix some time limit for the repair work to be done and reported to the second respondent.

4. Taking into consideration the facts and circumstances of the case and of the fact that the fourth respondent has already undertaken to do the repair work, there shall be a direction to the second respondent to ensure that the repair work is completed within a period of four weeks from the date of receipt of a copy of this order and the property of the petitioner is restored back to the original position.

5. The petitioner is directed to make a fresh representation to the second respondent along with a copy of this order. Copy of the representation shall also be marked to the fourth respondent.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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,
Dindigul,
Dindigul District.
- 2.The Divisional Engineer,
Highways Department,
Palani,
Dindigul District.
- 3.The Assistant Director,
Municipalities,
Dindigul, Dindigul District.

+1 CC to M/s.SPL GP (SR-20430[F] dated 28/06/2021)

+1 CC to M/s.R.RAMADURAI, Advocate (SR-20416[F] dated 28/06/2021)

W.P. (MD) .No.10620 of 2021

25.06.2021

AS (07.07.2021) 3P 6C