



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.35172 OF 2013

AND

M.P.NO.1 OF 2013

M.Chinnasamy

... Petitioner

Vs.

1. The District Collector
Tiruppur District
Tiruppur.
2. The Revenue Divisional Officer
Dharapuram
Tiruppur District.
3. The Tahsildar,
Kangayam Taluk,
Kangayam,
Tiruppur District.
4. The Executive Engineer,
Public Works Department,
PAP Scheme,
Kangayam,
Tiruppur District.
5. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
TANGEDCO,
Kangayam,
Tiruppur District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents preventing the petitioner to take Well water situated in R.S.No.386/7C, Kangayam Village, Tiruppur District to another land situated in Old S.No.1491 (R.S.No.388/10), Kangayam



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Village, Tiruppur District to the extent of 1.70 acres of land for irrigation purpose.

For Petitioner	:	Mr.C.Prakasam
For Respondents	:	Mr.G.Nanmaran for R1 to R4 Special Government Pleader No Appearance for R5

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus forbearing the respondents preventing the petitioner to take well water situated in R.S.No.386/7C, Kangayam Village, Tiruppur District to another land situated in Old S.No.1491 (R.S.No.388/10), Kangayam Village, Tiruppur District, to the extent of 1.70 acres of land for irrigation purpose.

2.The case of the petitioner is that he is having lands in R.S.No.386/7C, Kangayam Village, Tiruppur District and in Old S.No.1491 (R.S.No.388/10), Kangayam Village, Tiruppur District and he is doing agriculture in the said lands. There is a open well in R.S.No.386/7C and he is taking water from the said well through tractor to another land situated in Old S.No.1491 (R.S.No.388/10) for irrigation purpose, however, the respondents 3 and 4 are insisting that he should not take water through tractor and that if he continues doing so, they are going to disconnect the electricity service connection and seize the tractor. Hence, this petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner made representation dated 23.12.2013 to the respondents seeking not to restrain him from taking water through tractor to his lands for irrigation purpose, however, the same has not yet been considered. The learned counsel further submitted that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 23.12.2013 and to pass appropriate orders within a reasonable time frame.

4.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 23.12.2013, on merits and in accordance with law and to pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order, if not considered already.



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5. This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Tiruppur District
Tiruppur.
2. The Revenue Divisional Officer
Dharapuram, Tiruppur District.
3. The Tahsildar,
Kangayam Taluk,
Kangayam,
Tiruppur District.
4. The Executive Engineer,
Public Works Department,
PAP Scheme, Kangayam,
Tiruppur District.
5. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
TANGEDCO, Kangayam,
Tiruppur District.

+1cc to the Government Pleader, S.R.No.14178

W.P.No.35172 of 2013
And
M.P.No.1 of 2013

GPL (CO)
RLP (31/03/2022)