



W.P.No.27522 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

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K.Yuvaraja

.. Petitioner

Versus

1.The Government of Tamil Nadu
Rep by its Secretary, Revenue Department
Fort St.George, Chennai – 600 009

2.The Commissioner of Land Administration
Land Administration Department
2nd Floor, Ezhilagam, Chepauk
Chennai- 600 005

3.The District Collector
1st Floor, Main Building
District Collectorate, Tiruchengode Road
Nammakkal – 637 003

4.The Revenue Divisional Officer
Namakkal District, Namakkal – 637 001

5.The Tahsildar
SH 79, VIP Nagar
Rasipuram Taluk, Namakkal – 637 408



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6.The Engineer-in-Chief and Chief Engineer
Water Resources Organisation
Public Works Department
Chepauk, Chennai – 600 005

7. The Assistant Engineer
Water Resources Organisation
Public Works Department
Rasipuram – 637 408

8.K.Ammasi ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 3 & 4 to sub-divide the land in respecty of the water canal and canal bund/pathway running through Survey No.40/2 situated in Mathiyampatti village, Rasipuram Taluk, Namakkal District and mutata revenue records to reflect the name of the Government of Tamil Nadu.

For Petitioner : Mr.John Zachariah
for Mr.Vignesh Venkat

For Respondents : Mr.U.Baranidharan R1 to R6
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the respondents 3 & 4 to sub-divide the land in respecty of the water canal and canal bund/pathway running through Survey No.40/2 situated in Mathiyampatti village, Rasipuram Taluk, Namakkal District and mutata revenue records to reflect the name of the Government of Tamil Nadu.



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2. Since no adverse order is being passed against the eighth respondent, notice to eighth respondent is dispensed with.

3. The case of the petitioner is that the petitioner is an agriculturist having land in S.No.40/7B, situated at Mathiyampatti Village, Rasipuram Taluk, Namakkal District. The eighth respondent is the owner of the land admeasuring 1 acre in S.No.40/2, wherein, a plan marked canal is running which belongs to the seventh respondent department. While so, the eighth respondent has blocked the public canal causing hindrance to the public for the ingress and egress of the properties and had encroached upon the Government Poramboke land. Hence, the petitioner made a representation to the third respondent on 15.11.2021 which is pending without consideration. Hence, this petition.

4. The learned counsel for the petitioner seeks this Court for issuance of a direction to the fifth respondent to consider the representation of the petitioner dated 15.11.2021 within a reasonable time as fixed by this Court.



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5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6. Considering the limited request made by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the fifth respondent to consider the representation of the petitioner dated 15.11.2021 and pass appropriate orders on merits and in accordance with law, after providing opportunity of hearing to the petitioner as well as any other interested parties within a period of twelve weeks from the date of receipt of copy of this order.

7. With the aforesaid direction, this Writ Petition is disposed of. No costs.

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Index : Yes/No
Speaking Order : Yes/No

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M.DHANDAPANI,J.



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