



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.2488 of 2022

WEB COPY

Chelladurai

... Petitioner

Vs.

- 1.The District Collector,  
Office of the District Collector,  
Tirunelveli District.
- 2.The Divisional Engineer,  
Highway Department,  
Construction & Maintenance,  
Tirunelveli Division, Palayamkottai,  
Tirunelveli District.
- 3.The Executive Engineer,  
Public Works Department (WRO),  
Chittar Basin Division,  
Courtallam,  
Tenkasi District.
- 4.The Assistant Divisional Engineer,  
Highway Department,  
Construction & Maintenance,  
Radhapuram,  
Tirunelveli District.
- 5.The Assistant Divisional Engineer,  
Public Works Department (WRO),  
Vallioor, Tirunelveli District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to grant permission to lay down the underground pipeline between the two parcels of petitioner's lands in Urumankulam Village Survey No.646/3 and Urumankulam Village Survey No.576/1A between Radhapuram to Idayankudi at KM 18/900-21/550 for irrigation purposes by considering the representation of the petitioner dated 24.01.2022 in accordance with law.

For Petitioner : Mr.R.Alagumani  
For Respondents : Mr.M.Lingadurai  
Special Government Pleader



**O R D E R**  
**\*\*\*\*\***

This writ petition has been filed for a Mandamus seeking for a direction to the second and third respondents to grant permission to lay the underground pipeline between the two parcels of petitioner's lands in Urumankulam Village Survey No.646/3 and Urumankulam Village Survey No.576/1A between Radhapuram to Idayankudi at KM 18/900-21/550 for irrigation purposes by considering the representation of the petitioner dated 24.01.2022.

2.Heard Mr.R.Alagumani, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of all the respondents.

3.Learned Special Government Pleader on instructions submits that since there is a road inbetween, it may not be feasible for laying the underground pipeline as sought for by the petitioner.

4.However, as seen from the affidavit filed in support of the writ petition a representation dated 24.01.2022 given by the petitioner has not been considered on merits and in accordance with law. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair opportunity of hearing to the writ petitioner.

5.Accordingly, this Court directs the second and third respondents to consider the petitioner's representation dated 05.01.2022 seeking for a direction to the second and third respondents to grant permission to lay the underground pipeline between the two parcels of petitioner's lands in Survey Nos.646/3 and 576/1A in Urumankulam Village between Radhapuram to Idayankudi at KM 18/900-21/550 for irrigation purposes on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6.With the aforesaid direction, the writ petition stands disposed of. There shall be no order as to costs.

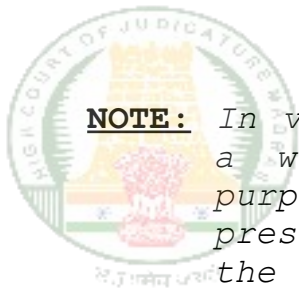
Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



**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.

WEB COPY

To

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Office of the District Collector,  
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Construction & Maintenance,  
Radhapuram, Tirunelveli District.
- 5.The Assistant Divisional Engineer,  
Public Works Department (WRO),  
Vallioor, Tirunelveli District.

**+1 CC to M/s.SPL.GP ( SR-5037[F] dated 09/02/2022 )**

**W.P. [MD]No.2488 of 2022**  
**08.02.2022**

RK(18/02/2022) 3P 7C