



W.P.(MD) Nos.8286 of 2021 & 12110 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

CORAM:

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) Nos.8286 of 2021 and 12110 of 2022

W.P.(MD) No.8286 of 2021:

V.Muthalraj

.. Petitioner

Vs

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Thasildhar,
Ettayapuram Taluk,
Thoothukudi District.

3.The Block Development Officer (Panchayat Union),
Kovilpatti,
Thoothukudi District.

4.The Panchayat President,
Keela Eral Panchayat,
Thoothukudi District.

5.P.Karuthapandi

6.The Assistant Divisional Engineer,
Highways Department,



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Kovilpatti,
Tuticorin District.

7.The Assistant Executive Engineer,
Public Works Department,
Kovilpatti, Tuticorin District.

.. Respondents

***[Respondents 6 & 7 – suo motu impleaded vide order
dated 15.07.2022 made in W.P.(MD) No.8286 of 2021]***

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the third respondent to give permission to the petitioner to construct a small culvert over the cart pathway in the canal situated in Survey No.160/1, Narkalakottai Village, Keela Eral Panchayat, Kovilpatti Panchayat Union, Thoothukudi District for transportation of inputs and harvest to and from the petitioner's agricultural land comprised in Survey No.160/3 situated at Narkalakottai Village, Keela Eral Panchayat, Kovilpatti Panchayat Union, Thoothukudi District.

For Petitioner : Mr.A.Jayaramachanran

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate for R1 to R3

: Mr.M.Prabhu for R5

: No appearance for R4 & R6



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W.P.(MD) No.12110 of 2022:

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.. Petitioner

Vs

1.The District Collector,
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Thoothukudi.

2.The Thasildhar,
Ettayapuram Taluk,
Thoothukudi District.

3.The Block Development Officer (Panchayat Union),
Kovilpatti,
Thoothukudi District.

4.The Village Panchayat,
Keela Eral Panchayat,
Thoothukudi District.

5.P.Karuthapandi

6.The Assistant Divisional Engineer,
Highways Department, Kovilpatti,
Tuticorin District.

7.The Assistant Executive Engineer,
Public Works Department,
Kovilpatti, Tuticorin District.

.. Respondents

***[Respondents 6 & 7 – suo motu impleaded vide order
dated 15.07.2022 made in W.P.(MD) No.12110 of 2022]***



W.P.(MD) Nos.8286 of 2021 & 12110 of 2022

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing respondents 1 to 4 herein to permit the petitioner herein to lay a culvert across the canal natham in Survey No.160/2 in Nakkalakattai Village, Ettayapuram Taluk, Tuticorin District, at the cost of petitioner to have a right of access to his patta land in Survey No.160/3A vide Patta No.610, without any further delay or interference from the fifth respondent.

For Petitioner : Mr.K.Muthu Ganesa Pandian
For Respondents : Mr.K.Balasubramani
Special Govt. Pleader for R1 to R4
: Mr.M.Prabhu for R5
: No appearance R6

COMMON ORDER

Heard the learned counsel on either side.

2. The petitioners want to put up a culvert. The Assistant Executive Engineer, Public Works Department, Kovilpatti, is the authority competent to pass orders. The said authority will dispose of the petition mentioned representations on merits and in accordance with law



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and pass final orders within a period of six weeks from the date of receipt of a copy of this order. The petitioners as well as the fifth respondent shall appear before the seventh respondent on 29.08.2022 at 03.00 p.m. and place their respective cases.

3. These Writ Petitions are disposed of on the above terms. No costs.

16.08.2022

Index : Yes/No

Internet : Yes

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To

1.The District Collector,
Thoothukudi District,
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Ettayapuram Taluk,
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3.The Block Development Officer (Panchayat Union),
Kovilpatti,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

abr

4.The Assistant Divisional Engineer,
Highways Department, Kovilpatti,
Tuticorin District.

5.The Assistant Executive Engineer,
Public Works Department,
Kovilpatti, Tuticorin District.

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16.08.2022