



WEB COPY

W.P(MD)No. 7238 of 2022

.BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD)No. 7238 of 2022

S.Boodhalingam @ Murugan

.. Petitioner

Vs

1.The District Collector,
Kanyakumari District.

2.The Assistant Director (Panchayats),
Nagercoil, Kanyakumari District.

3. The Tahsildar,
Thovalai Taluk,
Kanyakumari District.

4. The Block Development Officer,
O/o.Block Development Office,
Boothapandy,
Kanyakumari District.

5. The President,
Thovalai Panchayat,
Thovalai, Kanyakumari District.

6. The Junior Engineer,
TANGEDCO, Thovalai,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to take stringent action against the unlawful encroachment made by the encroachers of the above said water pool in S.No.666/1 of Thovalai Village, Thovalai Taluk, Kanyakumari District and consequently direct the respondents to construct fencing around the above said water pond on the basis of the petitioner's representation dated 29.01.2022.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.S.Shaji Bino
Spl.Govt.Pleader for R1 to R3
Mr.S.R.A.Ramachandran,
Addl.Govt.Pleader for R4 & R5
Mr.S.Deenadhayalan for R6



ORDER

[Made by PARESH UPADHYAY, J.]

1. This petition is styled as public interest litigation.

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2. Learned advocate for the petitioner has submitted that, he be granted time to produce the revenue record related to survey numbers which are referred to in the petition. This request is rejected.

3. We find that, if the prayer clause in the writ petition is reconciled with the averments in the writ petition, so also with the representation which is claimed to have been made by the petitioner, the petitioner is not aware, he is aggrieved by what and who are the person who will be affected in the event any interference is made by this Court. Further as conceded by learned advocate for the petitioner himself, even the relevant record is also not placed before this Court. This petition therefore can not be entertained, in the form as it stands now.

4. For the above reason, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pkn/4

To

- 1.The District Collector,
Kanyakumari District.
- 2.The Assistant Director (Panchayats),
Nagercoil, Kanyakumari District.
3. The Tahsildar,
Thoivalai Taluk,
Kanyakumari District.
4. The Block Development Officer,
O/o.Block Development Office,
Boothapandy,
Kanyakumari District.



5. The President,
Thovalai Panchayat,
Thovalai, Kanyakumari District.

6. The Junior Engineer,
TANGEDCO, Thovalai,
Kanyakumari District.

+1 CC to M/s.SPL.GP (SR-20068[F] dated 21/04/2022)

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-20287[F] dated
21/04/2022)

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20.04.2022

RK(26/04/2022) 3P 9C