



W.P.(MD)No.19914 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.09.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.19914 of 2022

Govindaraj, S/o.Murugan

.. Petitioner

Versus

1.The District Collector,
District Collector Office,
Pudukkottai District.

2.Block Development Officer,
Block Development Office,
Karambakudi Taluk,
Pudukkottai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to either allow the petitioner to resume the concrete culvert in front of his house or reconstruct themselves, by considering his representation, dated 29.06.2022, within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.K.C.Maniyarasu

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing

<https://www.mhc.tricel.org/india> the second respondent to either allow him to resume the concrete culvert in



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front of his house or reconstruct themselves, by considering his representation, dated 29.06.2022, within a time frame.

2.The learned counsel appearing for the petitioner submits that the petitioner's house is situated in S.No.439/1A at Pallavarayapathai Village and Post, Karambakudi Taluk, Pudukottai District. In front of the petitioner's house, at 12 feet distance, there is a Village Panchayat cement road, runs in Survey Nos.439/1A and 439/1B as east-west. The petitioner has no other way to ingress and egress to his house, except the said road. To access his house from the road, the petitioner has constructed a cement culvert, which also helps to pass the rain water beneath of it. In the month of December 2021, the Village Panchayat took steps to construct a rain water channel in the northern side of the road and they have also dug the water channel by using JCB Excavator machine. While digging the channel, they removed the said cement culvert, which was the only access to reach his home and so far, the said water channel has not been closed. They left it intact. Since the said water channel has been deserted without any further construction, the petitioner and his family members put to great difficulties to access the road. The petitioner is not able to bring his two-wheeler and to store agricultural products in his house. During rainy seasons, if the channel is filled with water, the petitioner and his family members would not be in a position to access the road. When



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they started the digging work, the officials agreed to resume the concrete culvert after construction of water channel. However, the second respondent failed to keep his promise. Therefore, the petitioner has approached the respondents and made a representation to them on 29.06.2022, which did not evoke any fruitful results. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

3.The learned Additional Government Pleader appearing for the respondents submits that it is left open to the petitioner to do the work by himself and he cannot approach this Court asking the relief by way of filing the present Writ Petition.

4.In view of the above said submission, the petitioner is at liberty to do the work at his own cost. The respondents shall not disturb the same. This Writ Petition is disposed of accordingly. No costs.

Index : Yes/No

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V.BHAVANI SUBBAROYAN, J.

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To

- 1.The District Collector,
District Collector Office,
Pudukkottai District.
- 2.The Block Development Officer,
Block Development Office,
Karambakudi Taluk,
Pudukkottai District.

Order made in
W.P.(MD) No.19914 of 2022

20.09.2022