



WEB COPY

W.P.No.38492 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.38492 of 2004

and

W.P.M.P.No.46024 of 2004

1.Ramasamy Gounder

2.Valliyathal

... Petitioners

Vs.

1.The State of Tamil Nadu rep. by
The District Collector of
Coimbatore.

2.The Special Deputy Collector,
Parambikulam Aliyar Project,
Pollachi.

3.The Special Tahsildar,
Land Acquisition,
Parambikulam Aliyar Project,
Pollachi.

4.The Junior Engineer,
Parambikulam Aliyar Project,
Pongalur, Tiruppur Taluk.

5.Firka Surveyor,
Nallur Village
Tirupur.



6.Thiru Subbaraya Gounder

7.Murugasamy

8.Muthusamy

9.Nachimuthu Gounder

10.Kandasamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 5th respondent dated 03.12.2004 in respect of S.F.Nos.466 and 467, Nallur Village, Tirupur and quash the same and forbear the respondents their men and agents from in any manner digging a new channel across the lands situate in S.F.Nos.466 and 467, Nallur Village running West to East from the existing Parambikulam Aliyar Channel on the West without following the due process of law.

For Petitioners	: Ms.Keerthitha.N.S For M/s.Sarvabhauman Associates
For R1 to R4	: Mr.T.Arun Kumar Additional Government Pleader
For R5	: No Appearance
For R6 to R8	: Mr.Vignesh Karthick
For R9 & R10	: Not ready in Notice



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ORDER

The notice informing the writ petitioners for conduct of survey and inspection on 08.12.2004 at 10:00 a.m. is under challenge in the present writ petition.

2. The notice was issued for conducting survey and inspection in the year 2004 has been challenged and the writ petition is kept pending for the past about 19 years.

3. The learned counsel for the petitioners brought to the notice of this Court that both the writ petitioners, who have filed the present writ petition died and she has no further instructions, whether the survey was conducted during the relevant point of time. Thus, no further adjudication needs to be under taken not only on the ground that the petitioners died, but also on the ground that the writ petition is filed challenging the notice, which was issued for conduct of survey and inspection by the authorities in the year 2004. If at all any grievances exists to the legal heirs of the writ petitioners, they are at liberty to approach the competent authority for redressal of their grievances.



4. With this liberty, the Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

06.03.2023

Jeni

Index : Yes

Speaking order

Neutral Citation : Yes

To

1. The District Collector of Coimbatore,
The State of Tamil Nadu,
Coimbatore.

2. The Special Deputy Collector,
Parambikulam Aliyar Project,
Pollachi.

3. The Special Tahsildar,
Land Acquisition,
Parambikulam Aliyar Project,
Pollachi.

4. The Junior Engineer,
Parambikulam Aliyar Project,
Pongalur, Tiruppur Taluk.



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S.M.SUBRAMANIAM, J.

Jeni

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