



W.P.No.9472 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.9472 of 2023

R.Saravanan

..

Petitioner

Vs.

1. The District Collector
Tiruvarur Collectorate
Tiruvarur District.
2. The Revenue Divisional Officer
Tiruvarur District.
3. The Tahsildar
Tiruvarur Taluk.
4. The Executive Engineer
Water Resources Department
Vennaru Drainage Zonal
Tiruvarur.
5. The Executive Engineer
Public Works Department
Tiruvarur Taluk
Tiruvarur District.



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6. Village Administrative Officer
Tiruvarur Taluk
Tiruvarur District.
7. Firka Surveyor
Tiruvarur Taluk
Tiruvarur District.
8. Revenue Inspector
Tiruvarur Taluk
Tiruvarur District.
9. The Assistant Executive Engineer
Highways Department
Tiruvarur Taluk
Tiruvarur District.
10. Saravanan .. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the official respondents to act on the proceedings of the third respondent in Na.Ka.3032/2022/A4 dated 05.09.2022 and to survey the lands in and remove the encroachments and impediments made in water drainage channels at S.F.No.48/3, 48/5 situated in Kulikarai Village, Tiruvarur Taluk, Tiruvarur District and further survey the lands in and remove the encroachments in S.F.No.86/0, 87/5 and 88/7A in Peruntharagudi Village, Tiruvarur Taluk, Tiruvarur District and further direct the respondents 4 and 5 to restore, mend and facilitate the pipes required for the draining of the water through the Vaikaal in Peruntharagudi Village based on the petitioner's representations dated 29.03.2022, 23.09.2022 and 26.09.2022.



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For the Petitioner : Ms.Meena Annamalai
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 9

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a direction to the official respondents to remove the encroachments made in water drainage channels in S.F.Nos.48/3 and 48/5 in Kulikarai Village and in S.F.Nos.86/0, 87/5 and 88/7A in Peruntharagudi Village, Tiruvarur Taluk, Tiruvarur District.

2. According to the petitioner, in view of the encroachments made in the water drainage channels in S.F.Nos.48/3 and 48/5 in Kulikarai Village and in S.F.Nos.86/0, 87/5 and 88/7A in Peruntharagudi Village, Tiruvarur Taluk, Tiruvarur District, the flow of rain and waste water is disrupted. Hence, he made a representation to the first and third respondents. The first respondent directed the respondents 2 and 4 to conduct field inspection and to take action.

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Pursuant to the instruction given on 05.09.2022 by the third respondent, though the respondents 6 to 8 visited the site, they did not survey and demarcate the boundaries nor trace the water channel path. Hence, he again made a representation to the ninth respondent on 23.09.2022 and to the first and third respondents on 26.09.2022. As no action has been taken on the same, the petitioner has come up with this writ petition.

3. Learned counsel for the petitioner restricted the prayer to a direction to the official respondents to consider the representation of the petitioner dated 26.09.2022 and to pass orders.

4. Mr.P.Muthukumar, learned State Government Pleader appearing for the official respondents, sought four weeks' time to consider and pass orders on the representation of the petitioner.

5. Considering the limited prayer of the petitioner, without going into the merits of the case, this writ petition is disposed of directing the first and third respondents to consider the representation of the



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petitioner dated 26.09.2022 and pass orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
28.03.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

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