



WP No.10017 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.10017 of 2023

N.K.Sathishkumar

... Petitioner

-Vs-

- 1.The District Collector
District Collector Office
Salem.
- 2.The Managing Director
The Tamil Nadu Water Supply and
Drainage Board, No.31, Kamarajar Salai
Chepauk, Chennai – 600 005.
- 3.The Superintending Engineer
The Tamil Nadu Water Supply and Drainage
Board, Asthampatti, Salem.
- 4.The Executive Engineer (Maintenance Division)
The Tamil Nadu Water Supply and Drainage
Board, Salem-7.
- 5.The Assistant Executive Engineer
The Tamil Nadu Water Supply and Drainage Board
Edappadi, Salem District.



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6. Sri Maruthi Constructions
Rep.by its Manager
1/248, Rajaganapathi Complex
2nd Floor, Meyyanur Road
Near BSNL Office
Salem-636 004.

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to complete the construction work of water tank (OHT) in Survey No.212/57-1 at Natchampatti Village (Back side of Vinayagar Temple), Elavampatti, Selavadai Post, Omalur Taluk, Salem District based on the petitioner's representation dated 20.03.2023 within the time limit to be stipulated by this Hon'ble Court.

For the Petitioner	:	Mr.Gunasekaran
For the Respondents 1 to 5	:	Mr.P.Muthukumar, State Government Pleader

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition is filed for the issuance of a Writ of Mandamus directing the respondents to complete the water tank (OHT) in Survey No.212/57-1 at Natchampatti Village (Back side of Vinayagar Temple), Elavampatti, Selavadai Post, Omalur Taluk, Salem District based on the petitioner's representation dated 20.03.2023.



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2. Learned State Government Pleader appearing for the respondents 1 to 5 placed before us the written instructions dated 31.03.2023 given by the Executive Engineer, TWAD, Maintenance Division, Edappady and submitted that, when action was taken to construct the water tank in Survey No.212/57-1 at Natchampatti Village backside of Vinayagar Temple, there was a hue and cry and therefore in view of the objections raised not to construct the Overhead Tank, the site was inspected by the Executive Engineer, TWAD Maintenance Division, Edappady on 13.03.2023. The officials were not able to convince the objectors and the situation seems to lead to law and order problem and therefore, the work was temporarily stopped to arrive at an amicable solution.

3. A resolution was passed by the Edappady Panchayat on 26.01.2023 and based on such resolution, the work was commenced on 07.03.2023. But when the work came upto the foundation level, some of the miscreants created the problem. When a resolution is passed by the Panchayat based on which the water tank is going to be constructed, some people cannot take law in their own hands and



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create such issues. Hence, the writ petition is allowed, giving directions to the respondents to commence the construction and complete the same as expeditiously as possible. There will be no order as to costs. Consequently, WMP No. is closed.

(T.R., ACJ.) (D.B.C., J.)
31.03.2023

Index : Yes/No
Neutral Citation : Yes/No
kst

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