



W.P.No.16057 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.16057 of 2021

and

W.M.P.No.16973 of 2021

N.Elumalai

... Petitioner

Vs.

1. The District Collector,
Villupuram District.
2. The Revenue Divisional Officer,
Villupuram District.
3. The Tahsildar,
Tasildar Office, Kandachipuram,
Villupuram District.
4. V. Balaji
5. V. Murali
6. P. Elumalai

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus, directing the 3rd respondent to consider the petitioner's representation dated 11.07.2021 to take necessary action to stop the digging of well and deep well by obstructing the lake



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water drainage within the vicinity of 150 meters from the petitioners existing well in Survey No. 60/2, 60/3 at V. Puthupalayam Village by the 4th to 6th respondents, and may direct the 3rd respondent to follow the consolidated guidelines 2011 which is issued by the Chief Engineer's Circular No. CE1 / 2010 / DD(G) /Dated 25.01.2010.

For Petitioner	: Mrs.R.Pushpalatha
For Respondents	:
(for R1 to R3)	: Mr.D.Ravichander, Spl.G.P.
(for R4)	: Mr.N.Srinivasan
(for R5 & R6)	: Not ready in Notice

ORDER

The relief sought in the present writ petition is to direct the 3rd respondent to consider the representation submitted by the writ petitioner on 11.07.2021 and to initiate all necessary action to stop digging of the well and deep well by obstructing lake water drainage which is in the vicinity of 150 meters from the petitioners existing well in Survey No. 60/2, 60/3 at V. Puthupalayam Village by the 4th to 6th respondents, and may direct the 3rd respondent to follow the consolidated guidelines 2011 which is issued by the Chief Engineer's Circular No. CE1 / 2010 / DD(G) /Dated 25.01.2010.



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2.The learned counsel for the petitioner mainly contended that respondents 4 to 6 are digging a well, though in their own lands but in violation of the statute and rules in force . It is specifically contended that the respondents 4 to 6 are violating the procedures contemplated and digging the well in a prohibited area.

3.The learned counsel appearing on behalf of the 4th respondent raised an objection by stating that the 4th respondent is digging well in his own land by following the procedures and by obtaining necessary permission. That being the factum, the writ petition is to be rejected.

4.May that as it be. this Court is of the opinion that the authorities competent are bound to conduct a field inspection and ascertain the facts and thereafter initiate action on the representation submitted by the writ petitioner. It is to be verified whether the respondents 4 to 6 are digging well in a prohibited area or not by following the procedures as contemplated.

5.In this regard, the 3rd respondent Tahsildar is directed to conduct a field inspection and thereafter take a decision on the representation



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submitted by the writ petitioner within a period of 8 weeks from the date of receipt of a copy of this order.

6. With these directions, the writ petition stands **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

13.06.2023

To

1. The District Collector,
Villupuram District.
2. The Revenue Divisional Officer,
Villupuram District.
3. The Tahsildar,
Tasildar Office, Kandachipuram,
Villupuram District.



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S.M.SUBRAMANIAM. J.,

(sha)

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