



WEB COPY



Writ Petition No.16131 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24/5/2023

C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.16131 of 2023

a n d

W.M.P.No.15525 of 2023

Rasokkiam @

Rajayockiyam Chettiyar

...

Petitioner

Vs

1. The District Collector
Ariyalur District
Ariyalur.
2. The Revenue Divisional Officer
Ariyalur District
Ariyalur.
3. The Tahsildar
Ariyalur Taluk
Ariyalur 621 704.
4. The Block Development Officer
Ariyalur Panchayat Union
Ariyalur District.
5. The President
Redddypalayam Village Panchayat
Ariyalur
Ariyalur District.

...

Respondents



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WEB COPY Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to forbear the respondents from in any manner proceeding further in the construction of Drainage canal or executing any other projects in the petitioner's lands comprised in S.Nos.463/34, 463/35, 463/32, 464/1, 464/1 and 464/18, measuring to an extent of 193, 22, 30, 23, 323 and 12 sq.mts respectively, situated at Muniankurichi Village, Reddypalayam Village Panchayat limits, Ariyalur Taluk, Ariyalur District, except by due process of law.

For petitioner	...	Mr.K.Premkumar
For respondents	...	Mr.P.Balathandayutham Special Government Pleader for R.R.1 to 3.

ORDER

This Writ Petition has been filed to forbear the respondents from proceeding further in the construction of Drainage canal or executing any other projects in the petitioner's lands, comprised in S.Nos.463/34, 463/35, 463/32, 464/1, 464/1 and 464/18, measuring to an extent of 193, 22, 30, 23,



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323 and 12 sq.mts respectively, situated at Muniankurichi Village, Reddypalayam Village Panchayat limits, Ariyalur Taluk, Ariyalur District.

2. The case of the petitioner is that the respondents without following the due process of law, implementing a project on the petitioner's patta land. The petitioner has submitted a representation dated 8/5/2023 to the first respondent. Since the same has not been considered so far, the petitioner has come forward with the instant writ petition praying for the relief as stated therein.

3. Heard Mr.K.Premkumar, learned counsel for the petitioner.

4. Mr.P.Balathandautham, learned Special Government Pleader takes notice for the respondents 1 to 3.

5. By consent, the writ petition is taken up for final disposal.



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6. Learned Special Government Pleader submitted that after survey, the authorities have come to the conclusion that pipelines are not going to be executed in the petitioner's patta land. He further submitted that the second respondent is going to lay the pipe line with the help of the qualified surveyor.

7. Considering the rival submissions, this Court dispose of the writ petition, directing the respondents to conduct a survey on the proposed Drainage canal with the Taluk Surveyor in the presence of the petitioner and to ensure that pipelines are not passing through the petitioner's land and to proceed further with the drainage channel.

No costs. Consequently, the connected Miscellaneous Petition is closed.

24/5/2023

Index: Yes/ No

Neutral Citation: Yes/No

mvs.

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