



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.10.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.30522 of 2023
and WMP.No.30155 of 2023

1.C.Mahalingam
2.V.Harish Kumar
3.R.Shanmugasundaram
4.R.Natarajan
5.A.Unni Krishnan

... Petitioners

VS.

1.The District Collector,
District Collector Office
Coimbatore District.

2.The Tahsildar,
Mathukarai Taluk
Mathukarai, Coimbatore District.

3.The Assistant Commissioner
South Zonal Office
Coimbatore Corporation
Coimbatore District.

4.The Deputy Superintendent of Police
Coimbatore District.



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5.The Inspector of Police,
Pothanur Police Station,
Coimbatore District.

6.Arunkumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 and 2 not to close the well which is continuously using by the petitioners by considering the representation dated 25.09.2023 and 06.06.2023 given by the erstwhile owner/legal heirs.

For Petitioners :Ms.M.E.Raniselvam

For Respondents :Mr.P.Anandakumar (for R1 to R3)
Government Advocate

Mr.Leonard Arul Joseph Selvam (for R4 & R5)
Government Advocate (Criminal Side)

ORDER

This writ petition is filed by five petitioners, all senior citizens, who seek a mandamus directing the first and second respondents, the District Collector and Tahsildar, Mathukarai Taluk, Coimbatore District respectively not to close the Well situated at Survey No.219A/6A, Kurichi Grama Village, Pothanur (Well). In this regard, a representation has been made by the petitioners on



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06.06.2023 followed by a reminder dated 25.09.2023. The writ affidavit contains various factual averments in regard to the claim that the petitioners make in regard to the Well.

2.Mr.P.Anandakumar, learned Government Advocate accepts notice for R1 to R3 being the District Collector, Tahsildar and Assistant Commissioner, Coimbatore Corporation. Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Criminal Side) accepts notice for R4 and R5 being the Deputy Superintendent of Police and the Inspector of Police, Pothanur Police Station. No notice is thought necessary at this juncture to the sixth respondent since his interests have been duly protected by virtue of this order.

3.Since Mr.P.Anandakumar states that the representation of the petitioners addressed to R4 and R5 had been duly forwarded to the Revenue Divisional Officer, who has, in turn forwarded the same to the Tahsildar/R2. It is hence appropriate that the Tahsildar hear the petitioners as well as R6 any other parties who may be deemed fit and appropriate, consider evidences, if any filed by the parties, and take a view on the request of the petitioners expeditiously and in any event within a period of eight (8) weeks from date of receipt of a copy of this order, in accordance with law.



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4.This writ petition is disposed in terms of the order. No costs.

Connected miscellaneous petition is closed.

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vs

Index : Yes/No

Speaking order

Neutral Citation : Yes

To

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District Collector Office
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Mathukarai Taluk
Mathukarai, Coimbatore District.

3.The Assistant Commissioner
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Dr.ANITA SUMANTH, J.

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