



W.P.(MD)No.15321 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.15321 of 2023
and W.M.P(MD)No.12916 of 2023

S.Velsamy

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Executive Engineer,
Tamilnadu Water and Drainage Board,
Schemes Division,
No.82/4, Old Trunk Road,
Sathur – 626 203
Viruthunagar District.

3.The Divisional Engineer,
Highways Department,
Tirunelveli – 627 002

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus forbearing the respondent from laying pipelines using heavy earth movers and machineries in the land adjacent to the land in Survey No.1475/1A1 of Seevalaperi Village, Tiruenveli District.



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For Petitioner : Mr.S.Suresh Manickam
For R1 & R3 : Mr.N.Muthu Vijayan
Special Government Pleader
For R2 : Mr.Vijay Karthikeyan

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a restraint against the respondent, particularly the second respondent, the Executive Engineer, Tamilnadu Water and Drainage Board, Schemes Division, No.82/4, Old Trunk Road, Sathur – 626 203, Viruthunagar District from laying pipelines using heavy earth movers and machineries in the land adjacent to the land in Survey No.1475/1A1 of Seevalaperi Village, Tiruenveli District.

2. The said water project has not been done in the land of the petitioner. Therefore, he has no *loco standi* to give representation or to seek a direction to consider the said representation.



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3. I am confident that the project had been conducted with permission granted from the Highways Department. The Highways Department had imposed certain conditions and it is between the third respondent, the Highways Department and the second respondent, Tamilnadu Water and Drainage Board. The petitioner is a third party and only for the reason that the petitioner has given a representation. It need not be considered by the 2nd respondent.

4. The respondents are directed to proceed further with the projects and keep in mind the safeguard measures when executing the project.

5. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM



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C.V.KARTHIKEYAN, J.

CM

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