

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 15.09.2023**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.11446 of 2015 AND**
M.P.(MD)Nos.2 & 3 of 2015

T.Ravikumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Rural Development and Panchayat Raj,
Fort St. George, Chennai – 600 009.
2. The State of Tamil Nadu,
Rep. by its Secretary,
Public Works Department,
Fort St. George, Chennai – 600 009.
3. The District Collector,
Nagercoil, Kanyakumari District.
4. The Tahsildar,
Agasteeswaram Taluk,
Nagercoil, Kanyakumari District.
5. The Secretary,
District Panchayat Office,
Nagercoil, Kanyakumari District.
6. The Executive Engineer,
Public Works Department(Irrigation),
Nagercoil, Agasteeswaram Taluk,
Kanyakumari District.
7. The Block Development Officer,
Agasteeswaram Panchayat Union,
Perumalpuram, Kottaram Post,
Kanyakumari District.



8. The President,
Maharjapuram Panchayat,
Agasteeswaram Taluk,
Kanyakumari District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 5th respondent in his proceedings No.Se.Mu.A1/260/2014-3 dated 23.04.2015 as far as column-1 concerned and quash the same as illegal and consequently direct the respondents to remove the entire blue survey stones laid down in the petitioner's patta land in survey Nos.291/8, 291/9, 291/10, 291/11, 291/12, 278/3, 278/9(B) of Azhagappapuram, Agasteeswaram Taluk, Kanyakumari District as well as in Thanuminor Madai, an irrigation channel.

For Petitioner : Mr.C.Kishore

For R-1 to R-7 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-8 : Mr.M.Rajarajan

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned tender notification.



3. When the matter was taken up for hereing, the learned Additional Government Pleader submitted that no further action took place and the proposal itself has been shelved. In normal circumstances, I would close the writ petition as infructuous by recording the said stand.

4. But the core grievance of the petitioner is that on a water body, road is sought to be laid. The said water body runs through the petitioner's agricultural land. I make it clear that on the water body road cannot be laid. If in future, the proposal sought to be revived, the petitioner shall be put on notice. The petitioner will be at liberty to move this Court again for appropriate relief. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

15.09.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU



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