



W.P.(MD)No.25996 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.25996 of 2023

and

W.M.P.(MD)No.22372 of 2023

V.Veeranan

Vs.

... Petitioner

- 1.The District Collector,
Madurai District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Y.Othakadai, Madurai District.
- 4.The Tahsildar,
Melur Taluk Office,
Melur, Madurai District.
- 5.The Block Development Officer,
Office of the Block Development Office,
Melur, Madurai District.



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6.The President,
Vellalur Panchayat,
Vellalur Post, Melur Taluk,
Madurai District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 from in any manner not to allow the 6th respondent to construct the 30,000 litres water tank which is situated near Old Ward No.2, New Ward No.9 comprised in S.No.751/1 of Vellalur Village, Melur Talu, Madurai District and further to direct the 6th respondent to construct the same in the balance 60 cents of vacant natham proamboke land available in the very same survey No.751/1 by considering the petitioner's representation dated 16.10.2023.

For Petitioner : Mr.B.Santhanam Rajesh Kumar
For Respondents : Mr.A.Baskaran,
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner wants this Court to restrain the 6th respondent from constructing the petition-mentioned water tank. It is seen that the construction is to come up in Survey No.751/1 of Vellalur Village, Melur Taluk, Madurai



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District. In the said survey number, “Kalam” has already been put up; it measures about 20 cents of land. The apprehension of the writ petitioner is that if the water tank is allowed to be constructed, it will cast shadow on the “Kalam” and thereby affect the usual agricultural activities.

3.The learned Additional Government Pleader for the respondents clarifies that the water tank is to come up on the southern side. Therefore, the shadow is not likely to fall on the “Kalam”. The apprehension of the writ petitioner is not well founded. Therefore, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) & (P.D.B., J.)

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva



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