



WEB COPY



W.P.No.12990 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2024

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.12990 of 2024

Pandurangan

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Thiruvannamalai,
Thiruvannamalai District.
- 2.The District Revenue Officer,
District Revenue Office,
Thiruvannamalai,
Thiruvannamalai District.
- 3.The Block Development Officer,
Block Development Office,
Pernamallur,
Thiruvannamalai District.
- 4.V.Shagunthala
- 5.S.Kanniappan
- 6.The Assistant Executive Engineer
Peranamallur Block, Thiruvannamalai,
Thiruvannamalai District.



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7. The Assistant Executive Engineer
Twad Board/RWS Sub Division,
Arani,
Tiruvannamalai District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner representation dated 26.03.2024.

For Petitioners : M/s.C.Venkatesan

For Respondents : Mr.V.Manoharan, AGP [for R1, R2 & R6]

: Mr.R.Siddharth [for R3 & R4]

: Mrs.S.Mekhala [for R7]

ORDER

The Writ Petition has been filed for direction directing the respondents 1 to 3 to consider the representation submitted by the petitioner dated 20.06.2024.

2. The petitioner owns lands comprised in S.Nos.345/2A admeasuring 0.02.0 hectares, 345/2B admeasuring 0.07.5, 345/2C admeasuring 0.08.5 hectares and 344/2B admeasuring 0.20., along with a well and a pump set.

The petitioner has been cultivating the said lands for the past several years.



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3. While being so, during the year 2004, the 7th respondent proposed to dig up a well near the petitioner's land. Therefore, the petitioner had filed a suit in O.S.No.339 of 2004 on the file of the District Munsif Court at Vanadavasi seeking a permanent injunction restraining the defendants from drilling a bore well or pipeline within 375 meters from the open well of the plaintiff. The said suit was decreed by the judgment and decree dated 12.07.2006. However, the petitioner has now submitted a representation requesting that the 5th respondent not be permitted to dig any well within 375 meters from the open well of the petitioner.

4. Admittedly, the injunction order obtained by the petitioner was only against the 7th respondent and that too in the year 2006.

5. The learned counsels for respondents 6 and 7 submitted that they have no proposal to dig any well near the petitioner's open well. However, there is no law prohibiting the digging of a well within a radius of 375 meters from another person's well or borewell.



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6. In view of the above, the representation of the petitioner cannot be considered. As such, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

21.08.2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
(shr)

To

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Thiruvannamalai District.
- 2.The District Revenue Officer,
District Revenue Office,
Thiruvannamalai,
Thiruvannamalai District.
- 3.The Block Development Officer,
Block Development Office,
Pernamallur,
Thiruvannamalai District.
- 4.The Assistant Executive Engineer
Peranamallur Block, Thiruvannamalai,
Thiruvannamalai District.
- 5.The Assistant Executive Engineer
Twad Board/RWS Sub Division, Arani, Tiruvannamalai District.



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G.K.ILANTHIRAIYAN, J.

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