



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. Nos.21645 and 21642 of 2024

D.Vidyavathi .. Petitioner in W.P.No.21645 of 2024

D.Lakshmipathy ..Petitioner in W.P.No.21648 of 2024

Vs.

1. The Tahsildar
Ponneri Taluk,
Thiruvallur District.

2. Collector,
Thiruvallur District – 602 001.

3. The Chief Engineer,
Water Resource Department,
Chepauk, Chennai-600 005.

4. The Commissioner for Revenue Administration,
Ezhilagam, Chepauk, Chennai-600 005.

.. Respondents in both the petitions

Prayer in W.P.no.21645 of 2024: Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing respondents to provide wet land equal to the land the second respondent had constructed a check dam across the said Arni River to 10 feet height which



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has resulted in the submersion of the petitioner's land that causing stoppage of cultivation activities without considering the consequences or on the alternative to pay appropriate compensation.

Prayer in W.P.No.21648 of 2024: Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Mandamus directing respondents to provide wet land equal to the land said to have acquired by the respondents for digging said quarry for strengthening the check wall and exavated the sand from the petitioner land or on the alternative to pay appropriate compensation for the land make unfit for cultivation.

For Petitioner : Mr.A.Arokiadoss (In both the petitions)

For Respondents : Mr. U.Bharanidharan AGP For RR1, 2 & 4
Mr.Yogesh Kannadasan, SGP for R3
(In both the petitions)

COMMON ORDER

W.P.No.21645 of 2024 has filed seeking a direction to respondents to provide wet land equal to the land the second respondent had constructed a check dam across the said Arni River to 10 feet height which has resulted in the submersion of the petitioner's land that causing stoppage of cultivation activities without considering the consequences or on the alternative to pay appropriate compensation.



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2. W.P.No.21648 of 2024 has been filed seeking a direction to the respondents to provide wet land equal to the land said to have acquired by the respondents for digging said quarry for strengthening the check wall and excavated the sand from the petitioner land or on the alternative to pay appropriate compensation for the land make unfit for cultivation.

3. The facts of the case are that the petitioners are the owners of the respective lands. The first respondent, without any intimation, constructed a check dam across the said Arni River to 10 feet height which has resulted in the submersion of the petitioner's land thus cause stoppage of cultivation activities. Hence, the petitioners made separate representations before the second respondents and till date, the respondents have not taken any steps. Hence, the present petition.

4. The learned counsel for the petitioners submitted that this Court may direct the respondents to consider the petitioners representations and to provide alternative wet land equal to the petitioners land within the



stipulated time as fixed by this Court.

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5. The learned Additional Government Pleader appearing for the second respondent submitted that the petitioners representation will be considered and appropriate orders will be passed within the stipulated time as fixed by this Court.

6. Heard, the learned counsel for the petitioners, the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

7. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioners, this Court directs the second respondent to consider the petitioners representation and pass appropriate orders as per the Revenue Standing Orders within the period of twelve weeks from the date of receipt of a copy of this order.



8. With the above directions, the writ petitions are disposed of.

There shall be no order as to costs.

05.08.2024

Index : Yes/No

Internet : Yes/No

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To

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M.DHANDAPANI, J.

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