



W.P.No.18033 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.18033 of 2024

Mani

.. Petitioner

VS

- 1.The District Collector,
Office of the District Collector,
Kallakurichi District.
- 2.The Commissioner,
Municipality of Thirukovilur,
Kallakurichi District.
- 3.The Executive Engineer,
Department of Water Resources,
Villupuram.
- 4.The Thasildhar,
Thirukovilur,
Kallakurichi District.
- 5.K.R.Shankar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India
praying for a writ of mandamus directing the respondents 1 to 4 to



W.P.No.18033 of 2024

take action against the fifth respondent based on petitioner's representation dated 21.5.2024.

For the Petitioner : Mr.S.Kingston Jerold

For the Respondents : Mr.Edwin Prabakar
State Government Pleader
for respondents 1, 3 and 4

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 to 4 to take action against the fifth respondent based on the petitioner's representation dated 21.5.2024.

2. The case of the petitioner is that the lands in Survey Nos.217, 218, 219, 220, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232 and 238 situated at Thirukovilur, Kallakurichi District are classified as water channel, vandi pathai and temple land, respectively. The fifth respondent with the help of local politicians and real estate businessmen is trying to convert the water channel



W.P.No.18033 of 2024

into a commercial area and had encroached upon the water channel.

In this regard, the petitioner has submitted a representation on 21.5.2024 to respondents 1 to 4 to take action against the fifth respondent. Based on the representation of the petitioner, though the first respondent directed respondents 2 and 3 to take action against the fifth respondent, till date no action is taken by the said authorities. Hence, the petitioner has filed the present writ petition.

3. Learned State Government Pleader, on instructions, submitted that the respondent authorities shall pass orders on the representation of the petitioner dated 21.5.2024 on merits and in accordance with law, after affording opportunity to all concerned.

4. Recording the submission made by learned State Government Pleader and without expressing any opinion on the merits of the matter, the writ petition is disposed of by directing the respondent authorities to consider the representation of the petitioner dated 21.5.2024 and pass orders on merits and in accordance with law, of course after affording opportunity to all concerned, within a period of eight weeks from the date of receipt of a copy of this order.



W.P.No.18033 of 2024

There shall be no order as to costs.

WEB COPY

(R.M.D., ACJ.) (M.S.Q., J.)
09.07.2024

Index : Yes/No
NC : Yes/No
bbr

To:

- 1.The District Collector,
Office of the District Collector,
Kallakurichi District.
- 2.The Commissioner,
Municipality of Thirukovilur,
Kallakurichi District.
- 3.The Executive Engineer,
Department of Water Resources,
Villupuram.
- 4.The Thasildhar,
Thirukovilur,
Kallakurichi District.



WEB COPY



W.P.No.18033 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

bbr

W.P.No.18033 of 2024

09.07.2024