



W.P. No.20775 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM:

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

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and

W.M.P. No.22040 of 2021

1. C. Raman
2. Murugasen
3. K. Veerappan
4. Mariadoss
5. A. Sakkarias
6. S. Supparayan
7. Y. Anthonisamy
8. A. Vadivel
9. Don Bosco
10. John Peter
11. S. Selvaraj
12. Vaithilingan
13. Thanikasalam
14. Thanakkodi
15. Yasudoss
16. K. Shanmugam
17. S. Anthonisamy
18. A. Alphones
19. Sivakolanthu

.... Petitioners

vs.

1.The District Collector
Cuddalore District.

2. The Sub-Collector,
Chidambaram,
Cuddalore District.



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3. The Tahsildar,
Melpuvanagiri,
Cuddalore District.

4. The Administrative Engineer,
Tamil Nadu Water Supply and
Drainage Board
Village Water Supply Project
and Division,
Cuddalore District.

5. M/s.DEE-Tech Projects Pvt., Ltd.,
Represented by its director,
Office at No.129, Aani Street, 2nd Floor,
Chinmaya Nagar, Chennai-600 092.

.... Respondents

(5th Respondent has been impleaded as per the order in
W.M.P.No.24333 of 2021 dated 15.04.2024)

Prayer : Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Mandamus directing the respondents to lay the water supply pipe line in the adjacent available government Poromboke land excluding the land classified as Adi-dravida in Dry Land S. No.13/3, 16/4 and 17B of Valayama Devi Kizhpathi Village, Puvanagiri Taluk, Cuddalore District in terms of the petitioner's representation dated 09.03.2021.

For Petitioner : Mr. S. Arokia Maniraj

For Respondents 1 to 3 : Mr.S.J. Mohammed Sathik
Government Advocate

For Respondent 4 : Mrs.S. Mekhala
Standing Counsel



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ORDER

This writ petition has been filed for direction directing the respondents 1 to 4 to consider the representation submitted by the petitioners seeking not to disturb the possession and enjoyment of the property.

2. On perusal of the representation submitted by the petitioners revealed that the petitioner's forefather were assigned the land comprised in S.No.16 & 17 of ValayamaDevi Kizhpathi Village, Puvanagiri Taluk, Cuddalore District. They are in possession and enjoyment of the same. While being so, the respondents 1 to 4 were digged the said land for bore well for public use. It would affect their possession and enjoyment of the subject property. While pending writ petition, the 5th respondent filed a petition to implead and it revealed that the proposed 5th respondent is the contractor for execution of water pipeline in the land comprised in S.No.16/4 at Valayama Devi Kizhpathi Village, Puvanagiri Taluk, Cuddalore District. Now the entire work has been over. That apart, the 4th respondent has awarded the job to various contractors and the 5th respondent is one amongst them. The land identified for the construction



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of water treatment plant was previously under encroachment of the petitioners. Therefore, the first respondent had passed an order to transfer the ownership of the lands to the 4th Respondent by its letter dated 12.08.2021. Accordingly, the 5th respondent has awarded contract for construction of Water Treatment Plant in the subject property. That apart, the project involved is not a pipe line laying, rather it is a full-fledged water treatment plant adjacent to the water canal of NLC mine water discharge canal. The entire cost of the project is worth about Rs.500 crore and the project has been sanctioned through loan availed from NABARD Bank. Besides about 625 villages will get drinking water through this project and about 6300000 people will get safe protected drinking water. The petitioners are being encroachers, they cannot restrain to respondents 1 to 4 for the construction of Water Treatment Plant.

3. The leaned counsel for the petitioner submitted that the respondents may provide some other relief for their livelihood. Therefore, the petitioners are at liberty to submit request before the authorities concerned for getting appropriate relief in the manner known to law.



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4. Therefore, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is is closed. No costs.

15.04.2024
(1/2)

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
gvn

To

1.The District Collector
Cuddalore District.

2. The Sub-Collector,
Chidambaram,
Cuddalore District.

3. The Tahsildar,
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G.K. ILANTHIRAIYAN, J.

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