



W.P.No.21934 of 2024

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 29.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

**W.P.No.21934 of 2024**

P.Kamaraj

.. Petitioner

Vs

1.The District Collector,  
Dharmapuri District.

2.The Tahsildar,  
Palacode Taluk,  
Dharmapuri District.

3.Block Development Officer,  
Palacode,  
Dharmapuri District.

4.P.Chinnasamy

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus directing the respondent authorities to consider the petitioner's representation dated 15.07.2024 and issue appropriate direction to the fourth respondent to continue construction of well in the light of permission granted by the third respondent without using any explosive material within a time frame to be fixed by this Court.



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|                |                         |
|----------------|-------------------------|
| For Petitioner | : Mr.S.Velmurugan       |
| For R1 & R2    | : Mr.S.Jayachandran, GA |
| For R3         | : Mr.T.Arun Kumar, AGP  |
| For R4         | : P.Ganesan             |

### **ORDER**

The writ petition has been filed for a direction to the respondent authorities to consider the representation submitted by the petitioner dated 15.07.2024 seeking action against the fourth respondent for digging well using explosive material.

2. The petitioner and his brother/fourth respondent are the owners of the property comprised in S.Nos.548/2, 550/6, 551/5, 551/7, 553/3, 553/7 and 554/3B, measuring an extent of 2 hectare 58 ares, in Pulikarai Village, Palacode Taluk, Dharmapuri Distirct. The fourth respondent, his brother, is having agricultural land in S.No.551/7. The petitioner's house is located nearby the land owned by the fourth respondent. While being so, the fourth respondent obtained permission from the third respondent to dig open well without causing any nuisance or disturbance



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to the nearby land owners. However, the petitioner apprehends that the fourth respondent will use explosive material while digging up well and this will ultimately cause damage to all the nearby houses, including the petitioner's house. Therefore, the petitioner submitted a representation before the third respondent and it is still pending.

3. The learned counsel for the third respondent would submit that the third respondent has never given permission to use explosive material while digging up well.

4. In view of the submission of the third respondent, the third respondent is directed to issue notice to the petitioner and the fourth respondent and pass appropriate orders in accordance with law, after affording an opportunity of personal hearing to them, within a period of four weeks from the date of receipt of a copy of this order. With this direction, the writ petition is disposed of. No Costs. W.M.P.No.23916 of 2024 is closed.

**29.08.2024**

rkm



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G.K.ILANTHIRAIYAN, J.

rkm

To

- 1.The District Collector,  
Dharmapuri District.
- 2.The Tahsildar,  
Palacode Taluk,  
Dharmapuri District.
- 3.Block Development Officer,  
Palacode,  
Dharmapuri District.

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