



WEB COPY



W.P.No.24...

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.24489 of 2024

M.Suresh

... Petitioner

-VS-

1. The District Collector,
The Chengalpattu District Collector Office,
Chengalpattu-603 001.
2. The Block Development Officer,
Block Development Office,
Chithamoor Union,
Cheyyur Taluk,
Chengalpattu District.
3. The Tahsildar,
Cheyyur, Cheyyur Taluk,
Chengalpattu District.
4. The President,
Kavanur Panchayat,
Kavanur, Chunampet,
Cheyyur Taluk,
Chengalpattu District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to construct the water tank in the Kavanur Village, Chunampet, Cheyyur Taluk, Chengalpattu District by disposing the



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written representation made by the petitioner on 19.07.2024 within a stipulated time.

For Petitioner : Ms.R.Hemalatha

For R1 to R4 : Mr.K.Karthik Jagannath
Govt. Advocate

ORDER

(By the Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondents 1 to 3 to construct the water tank in the Kavanur Village, Chunampet, Cheyyur Taluk, Chengalpattu District by disposing the written representation made by the petitioner on 19.07.2024.

2. Mr.K.Karthik Jagannath, learned Government Advocate takes notice for the respondents. By consent of the parties, the Writ Petition itself is taken up for final disposal at the stage of admission.

3. It is the case of the petitioner that though the Villagers made a request to the Panchayat President and Ward members to construct a Water Tank in the middle of the village, they have decided to construct the water tank on the top of the Hill for the benefit of a Temple situated therein, wherein already there are two tanks in existence. The petitioner along with villagers made a representation to the respondents 1 to 3 on



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17.07.2024, followed by yet another representation dated 19.07.2024, insisting to take steps to construct a water tank. Since there was no decision taken thereon, the petitioner is before this Court.

4. On a perusal of the averments in the affidavit, it is obvious that the petitioner prays for a direction to the respondents to build a water tank in the middle of the village for the benefit of villagers. The decision in respect of construction of buildings much less water tanks can be taken by the Government on the administrative side and this Court cannot give a blanket direction to the respondents to act in a particular manner which the petitioner wanted. This Court can interfere with the decision of the respondents in case this Court finds any arbitrariness or *mala fide* intention on the part of the respondents in taking a decision. However, taking note of the fact that mass villagers made a request to the respondents, this Court directs the District Collector / 1st respondent herein to consider the request of the petitioner made by way of representation dated 19.07.2024 and take a decision within a period of eight weeks from the date of receipt of a copy of this order.

HON'BLE ACTING CHIEF JUSTICE,
AND
P.B.BALAJI,J.,
ar



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5. With the above direction, this Writ Petition is disposed of. No costs.

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[D.K.K.,ACJ.]

[P.B.B,J.]

28.08.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order
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To:

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Chengalpattu-603 001.
2. The Block Development Officer,
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