



WEB COPY



W.P.No.26482 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.26482 of 2022

1. S.Jagadesh
2. S.Dinesh

... Petitioners

-Vs -

1. The Executive Engineer
Agriculture Engineering Department,
Collectroate Campus,
Vengikkal,
Thiruvannamalai District – 606 604.
2. The Tahsildar,
Arni Taluk Office,
Arni – 632 301.
3. The Assistant Executive Engineer,
Agricultural Engineering Department,
3, Millers Road,
Arni – 632 301.

4. Perma

... Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first and third respondents to resume the project work developing fish pond under Chief Minister's Dryland Development Mission at the project site situated in S.F.No.245, 3B2, Raathinamangalam Village, Arni, Thiruvannamalai



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District and complete the same in accordance with the law, within such period as may be prescribed by this Court.

For Petitioner : Mr.Balan Thirumoorthy
For Respondents
For R1 to R3 : Mr.P.Muthukumar
Additional Advocate General,
Assisted by Mr.T.Venkatesh Kumar
Special Government Pleader
For R4 : No appearance

ORDER

This writ petition has been filed for direction, directing the first and third respondents to resume the project work developing fish pond under Chief Minister's Dryland Development Mission at the project site situated in S.F.No.245 3B2, Raathinamangalam Village, Arni, Thiruvannamalai District and complete the same in accordance with the law.

2. The petitioner is one of the co-owner of the agricultural land comprised in S.F.No.245 3B2, Raathinamangalam Village, Arni, Thiruvannamalai District. The petitioner made an application on 17.08.2021, for developing a fish pond under the Tamil Nadu Chief Minister's Dry land development Mission. The fourth respondent lodged



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complaint before the third respondent alleging that the subject land belongs to her and she objected for the said project. Considering the said objection, the respondents 1 and 3 had stopped the work and sent a communication dated 01.04.2022 to the second respondent seeking genuineness of the revenue records given by the petitioner and the same is pending. Hence, the petitioner approached this Court by way of the present writ petition.

3. The learned Additional Advocate General appearing for the respondents submitted that now the entire scheme has been dropped and as such it cannot be implemented as requested by the petitioner herein.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. Admittedly, there is a dispute between the petitioner and fourth respondent in respect of the subject land. While being so, the application submitted by the petitioner was selected one among the beneficiaries to avail the scheme benefits. However, on the objections raised by the fourth respondent, the work was stopped. Further, the entire



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scheme has been dropped and the budget allotted to the farm pond was surrendered to the Chief Engineer (AE), Chennai on 31.03.2022 itself.

Therefore, the project cannot be resumed and the writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed. There shall be no orders as to costs.

13.06.2024
($\frac{1}{2}$)

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts



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G.K.ILANTHIRAIYAN. J.

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