



WEB COPY



W.P.No.37615 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.37615 of 2024

Arun Kumar

...Petitioner

Vs.

1. The District Collector
Coimbatore-641 018.
2. The Commissioner of Corporation
Coimbatore Corporation
3. The Assistant Commisisioner
South Zone, Coimbatore Corporation
Coimbatore-641 018.
4. The Tahsildar
Madukarai Taluk, Coimbatore.
5. The Commissioner of Police
Coimbatore Corporation.
6. The Inspector of Police
Podanur Police Station
Coimbatore District

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to closing of



W.P.No.37615 of 2023.

unused and dangerous well in Bharathi Nagar, Kovai district, based on the 3rd respondent letter Naa.Ka.No.2924/2023/D1(S) dated 21.4.2023.

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For Petitioner	: Mr.M.Ravi
For respondents	:M/s.V.Ramesh for R1 & R4 Government Advocate Mr.N.Umapathi for R2 & R3 Standing Counsel Mr.L.Baskaran for R5 & R6 Government Advocate (Crl.side)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The writ petition is filed seeking a direction to respondents to close the unused well situated in Bharathi Nagar, Coimbatore District based on 3rd respondent's letter dated 21.4.2023

3. It is seen from the proceedings of the 3rd respondent dated 04.04.2022 in Na.Ka.No.2138/2022/D3(South) that the Well in question is situated in

2/5



W.P.No.37615 of 2021.

private property of the petitioner at Bharathi Nagar, Gandhiji Road, Podanur. It is for the petitioner to close the Well and it is not open to the petitioner to seek services of the official respondents for the closure of the Well.

4. The learned counsel for the petitioner submits that when he attempted to close the Well situated in his properties, the neighbors and public opposed the same as they used the Well for several years. However, there is no averment in the affidavit filed in support of this writ petition that there were opposition.

5. In the light of the said position, in case steps taken by the petitioner to close the Well available in his property was opposed by neighbors and public, it is open to the petitioner to approach the jurisdictional police station seeking necessary police help. If any such representation is made by the petitioner, the same shall be considered by the jurisdictional police station in accordance with law.



W.P.No.37615 of 2024.

6 With the above directions, the Writ Petition stands disposed of. No costs.

10.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

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S.SOUNTHAR, J.

4/5



WEB COPY



W.P.No.37615 of 2024.

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W.P No.37615 of 2024

10.12.2024