



WEB COPY



W.P.No.30967 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

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

W.P.No.30967 of 2024

and

W.M.P.No.33578 of 2024

K.C.P. Venkatachalam

.... Petitioner

Vs

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Block Development Officer,
Block Development Office,
Pongalur, Tiruppur District.

3.The Village Panchayat President,
Thonguttipalayam Village Panchayat,
Thonguttipalayam,
Tiruppur South Taluk, Tiruppur District. Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to protect the water course / Odai in S.F. No.296 in Thonguttipalayam Village in Tiruppur South of Tiruppur District and ensure free flow of water in the said Odai by considering the petitioner's representation dated 07.08.2024.

For Petitioner : Mr.N.Ponraj



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For R1 : Mr.C.Kathiravan
Special Government Pleader
For R2 & R3 : Mr.Abishek Murthy
Standing Counsel

ORDER

This Writ Petition has been filed for a direction, directing the respondents to consider the representation submitted by the petitioner dated 07.08.2024 seeking to protect the water source/Odai comprised in S.F.No.296 situated at Thonguttipalayam Village, Tiruppur District.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is a farmer and owned a land comprised in S.F.No.317/2 admeasuring 2.38 acres and the land comprised in S.F.No.317/3 admeasuring 1.95 acres situated at Thonguttipalayam Village, Tiruppur. Adjacent to his land, on the eastern side, there is a 10 feet depth Odai running in S.F.No.296 situated at Thonguttialayam Village, Tiruppur District. It carries water during rainy season and it is helpful for all the farmers. While being so, third respondent is proposed to lay a road on the said Odai/Poromboke.

4. The learned counsel for the petitioner would submit that



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the Odai comprised in S.F.No.296 situated at Thonguttipalayam Village,
is classified as a Cart Track.

5. A perusal of the photographs produced by the petitioner shows that there is already a road near the water channel.

6. In view of the above, the second respondent is directed to consider the representation submitted by the petitioner and before laying the road, verify the subject land on inspection and proceed further.

7. With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed.

No costs.

23.10.2024

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
Lpp

To
1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Block Development Officer,
Block Development Office,
Pongalur, Tiruppur District.



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3.The Village Panchayat President,
Thonguttipalayam Village Panchayat,
Thonguttipalayam,
Tiruppur South Taluk, Tiruppur District.

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