



WEB COPY



W.P.No.31496 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**Writ Petition No.31496 of 2024
and WMP No.34225 of 2024**

K.V.Rasuutty, M/Age-56
S/o.V.Venu
Serving as President
Kilappakkam Panchayat
Thirukkalukkundram Union
Chengalpattu District-603 109.

Residing at No.80, Vallingri Street
Kilapakkam Village
Pandur Post
Thirukkalukkundram Union
Chengalpattu District.
Petitioner

....

-Vs-

- 1.The District Collector
Chengalpattu District.
- 2.The Block Development Officer
Thirukkalukkundram Panchayat Union
Chengalpattu District.
- 3.The Assistant Engineer
Thirukkalukkundram Panchayat Union



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- Chengalpattu District.
4.The Superintendent of Police
Chengalpattu District.
- 5.The Deputy Superintendent of Police
Mamallapuram Sub-Division
Chengalpattu District.
- 6.The Inspector of Police
Thirukkalukkundram Police Station
Chengalpattu District.
- 7.D.krishnaswamy
- 8.E.Murthu
- 9.S.Kannan
- 10.T.Gopi

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 herein to resume and complete the project titled “Providing of Main Line in Pandur Palar River Bore Well to Kilapakkam Colony Sump in Kilapakkam Panchayat @ Thirukkalukkundram Panchayat Union and providing of New Bore Well with 5 HP Motor and New Panel Board and Construction of Pump Room and Pumping Main Line from Pandur Palar River to Kilapakkam @ Kilapakkam Panchayat, Thirukkalukkundram Panchayat Union”, and to provide adequate police protection at the project site to ensure the smooth and timely completion of the work and to take necessary legal action against respondents Nos.7 to 10 for their unlawful obstruction, while ensuring the release of funds to complete the project without further delay.



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For Petitioner : Mr.J.Prakasam

For Respondents : Mr.T.Chandrasekaran
Special Government Pleader
for R1, R4 to R6

Mr.B.Ram Prabu for R7 to R10

Mr.V.P.R.Elamparithi
Additional Government Pleader
for R2 & R3

ORDER

The writ petition has been filed in the nature of a mandamus seeking a direction of the 1st and 2nd respondents to resume and complete the project titled “Providing of Main Line in Pandur Palar River Bore Well to Kilapakkam Colony Sump in Kilapakkam Panchayat also called Thirukkalukkundram Panchayat Union and providing of New Bore Well with 5 HP Motor and New Panel Board and Construction of Pump Room and Pumping Main Line from Pandur Palar River to Kilappak @ Kilapakkam Panchayat, Thirukkalukkundram Panchayat Union”. The petitioner also seeks police protection to be given at the project site.

2.It is stated that the 7th, 8th, 9th and 10th respondents are obstructing for execution of the said work. The learned counsel for the 7th, 8th, 9th and 10th respondents had sought for time for filing counter. But however, the learned



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Special Government Pleader had forwarded written instructions received from the Block Development Officer of Thirukkalukkundram, wherein after drawing reference to the writ petition, it had been stated that the Block Development Officer, who is the 2nd respondent, had initiated execution of the drinking water Bore Well Project in Pandur Village Panchayat. The work was stopped owing to the agitation by the Pandur Village Panchayat people.

3. It had been further stated that a Peace Committee Meeting had been convened by the Tahsildar of Thirukkalukkundram on 20.9.2024 in Pandur Community Hall. Thereafter again on 25.09.2024, second Peace Committee Meeting was conducted. Further, the 2nd respondent/BDO attempted to initiate action to execute the water supply work with police protection in the presence of the Tahsildar, Thirukkalukkundram and other revenue officials on 08.11.2024 which was again postponed to 11.11.2024. The Vice President and several other public had initially raised a dispute. But is very specifically stated that subsequently the police officials and the revenue officials had a discussion with the Pandur Village Panchayat Vice President, Thirukkalukkundram-Tmt.Saraswathi and other ladies. They had requested three days time for execution of the drinking water supply work.



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4.In view of the amicable settlement reached and the steps taken by the 2nd respondent, the BDO, Thirukkalukkundram Panchayat Union, the work must be commenced and completed within a period of three days without any unnecessary delay. The 6th respondent, Inspector of Police, Thirukkalukkundram Police Station had also withdraw the police protection. It is hoped that police protection would not be required and the project could be put forward without any further hindrance on behalf of the Pandur Village Panchayat Vice President - Tmt.Saraswathi or any other officials including 7th, 8th, 9th and 10 respondents.

5.Recording the written instructions given by the Block Development Officer, Thirukkalukkundram, writ petition stands disposed of with a direction to the 1st and 2nd respondents to proceed further with the execution of the project. No costs. Consequently, connected miscellaneous petition is closed.

12.11.2024

Index : Yes/No
NCS : Yes/No
KP

C.V.KARTHIKEYAN.,J

KP



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To

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