



WEB COPY



W.P.No.32121 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM:

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

W.P.No.32121 of 2024

Thilagam

... Petitioner

Vs

1. The District Collector,
Office of District Collector,
Salem.

2. The Assistant Director of Town Panchayat,
Room No.201, 2nd Floor,
Office of District Collector Salem,
Salem-636 001.

3. The Executive Officer,
Vazhapadi Town Panchayat,
Vazhapadi, Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to put up the underground pipeline fittings on the bore well erected by the respondents herein on Nallathambi Gounder Street, i.e., on the Highway, Vazhapadi, Salem District by considering the representation of the petitioner dated 16.08.2024 respectively within a reasonable period as fixed by this Hon'ble Court.

For Petitioner : Mr.R.Nalliyappan



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W.P.No.32121 of 2024

For R1 and R2 : Mr.S.Jayachandran
Government Advocate
For R3 : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This writ petition has been filed for direction directing the respondents to put up the underground pipeline fittings on the bore well erected by the respondents herein on Nallathambi Gounder Street, i.e., on the Highway, Vazhapadi, Salem District by considering the representation of the petitioner dated 16.08.2024 respectively within a reasonable period as fixed by this Hon'ble Court.

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

3. The petitioner is residing at Door No.2/28, Nallathambi Gounder Street, Vazhapadi, Salem District. On the western side of the house property of the petitioner Vazhapadi to Thuraiyur road is existing and the Nallathambi Gounder Street road which is the main access to the petitioner's house connecting to the said Vazhapadi to Thuraiyur Road. While being so, the third respondent dug up a borewell and erected a



W.P.No.32121 of 2024

pipeline on the road which restrains the petitioner's access to the road from her house.

4. Therefore, the petitioner had filed a writ petition before this Court in W.P.No.19450 of 2024 for direction to close the bore well. This Court, by an order dated 19.07.2024, dismissed the writ petition by recording the submission made by the respondent that they had erected the bore well in the above said area and no over head tank or motor room will be constructed in the borewell and they have proposed to construct the motor room away from the petitioner's house. While laying the pipeline from the bore well, if it is erected openly, it would obstruct the petitioner's house. Therefore, the petitioner submitted a representation to erect the pipeline in the underground.

5. On instructions, the Additional Government Pleader appearing for the third respondent submitted that they are laying pipeline from the borewell to overhead tank only by underground without obstructing the petitioner's exit from her house to the street.



W.P.No.32121 of 2024

WEB COPY

6. Recording the above said submission, this writ petition is closed. There shall be no order as to costs.

28.10.2024

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

To

1. The District Collector,
Office of District Collector,

Page 4 of 6

<https://www.mhc.tn.gov.in/judis>



W.P.No.32121 of 2024

WEB COPY

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G.K.ILANTHIRAIYAN. J,

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W.P.No.32121 of 2024

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