



W.P.(MD) No.2712 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD) No.2712 of 2018

Dr.J.Saravanan

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Korampallam,
Thoothukudi,
Thoothukudi District.

2.The Corporation Commissioner,
O/o. The Corporation Commissioner,
Thoothukudi,
Thoothukudi District.

3.The Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi,
Thoothukudi District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the first respondent herein to initiate appropriate action under the provisions of Section 133 Cr.p.C on the basis of the petitioner's representation dated 09.12.2017 within the time limit as fixed by this Court.



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For Petitioner : Mr.N.Subramani
For R1 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R2 : Mr.N.Anandha Kumar
For R3 : Mr.M.Vaikkam Karunanidhi
Government Advocate
For R4 : Mr.M.P.Senthil

ORDER

The petitioner has filed this Writ Petition for a mandamus directing the first respondent herein to initiate appropriate action under the provisions of Section 133 Cr.P.C., on the basis of his representation dated 09.12.2017.

2.According to the petitioner, the property in T.S.No.3534/1A in Mani Nagar, Town Survey Ward No.4, Block No.23, Thoothukudi, Thoothukudi District, which was offered as collateral security by M/s.Thilak International, was brought in for auction, after invoking the provisions of SARFAESI Act. The petitioner had obtained the said property through auction. In spite of culmination of the proceedings before the Debt Recovery Tribunal Madurai, the physical possession of



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the property has not been handed over. Taking advantage of the same, One D.Thilakaraj, who is the partner of M/s.Thilak International is extracting water illegally, for which he has lodged a complaint before the Tahsildar and the Tahsildar has not acted upon it. Therefore, the present writ petition.

3. Heard the learned counsel appearing on either side.

4. A monitoring committee was constituted for each District to prevent the illegal extraction of ground water for commercial purpose. In the event, if any person is indulging in such illegal activity, it is open to the petitioner to lodge a complaint before the District Level Monitoring Committee constituted by the District Collector, Tuticorin, to prevent the illegal extraction of ground water as per G.O.(Ms) No.142, Public Works Department, dated 23.07.2014. Accordingly, this Writ Petition is closed. No costs.

25.03.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No



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B.PUGALENDHI,J

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