



W.P(MD)No.20972 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.20972 of 2024

and

W.M.P.(MD)No.17764 of 2024

Samusoon Mahariba

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Block Development Officer,
Rural Development Office,
Ramanathapuram, Ramanathapuram District.

3.The Chairman,
Ramanathapuram Panchayat Union,
Ramanathapuram District.

4.The President,
Therkutharuvai Village Panchayat,
Therkutharuvai,
Ramanathapuram Taluk and District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 2 to 4 from digging the Well in Survey No.316/8A beside laying the pipeline through the petitioner's land comprised in Survey No.316/8B situated at Therkutharuvai Village, Utkadai Sakkarakottai Group, Ramanathapuram Taluk



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and District pending the enquiry contemplated by the 1st respondent in the light of the representation dated 16.08.2024 made by the petitioner.

For Petitioner : Mr.B.Prahalad Ravi
For R1 : Mr.D.Sadiq Raja,
Additional Government Pleader
For R2 to R4 : Mr.T.Amjadkhan,
Government Advocate

ORDER

This Writ Petition is filed, forbearing the respondents 2 to 4 from digging the Well in Survey No.316/8A beside laying the pipeline through the petitioner's land comprised in Survey No.316/8B situated at Therkutharuvai Village, Utkadai Sakkarakottai Group, Ramanathapuram Taluk and District pending the enquiry contemplated by the 1st respondent in the light of the representation dated 16.08.2024 made by the petitioner.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.It is the grievance of the petitioner that she made representations dated 01.08.2024 and 02.08.2024 to the 2nd respondent not to dig the Well in Survey No.316/8A beside not to lay the pipeline through the petitioner's land



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comprised in Survey No.316/8B situated at Therkutharuvai Village, Utkadai Sakkarakottai Group, Ramanathapuram Taluk and District. Since the same has not been considered, the petitioner made a representation dated 16.08.2024 to the 1st respondent to take necessary action based on the representation. Having received the representation, the 1st respondent informed the petitioner that the enquiry will be contemplated based on her representation and in the meanwhile, no further action will be taken to dig the well in the land in question. However, the respondents 2 to 4 are taking steps to dig the well. Therefore, the petitioner is before this Court.

4.Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the 1st respondent would submit that the Well will be dug by the respondents with administrative sanction and as far as laying of the pipeline in the patta land is concerned, the authorities will follow the procedures.

5.The said statement made by the learned Additional Government Pleader is recorded.

6.Considering the fact that the representation of the petitioner is pending with the 1st respondent, the 1st respondent is directed to consider the



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same and pass appropriate orders on its own merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.09.2024

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

Yuva

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
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Rural Development Office,
Ramanathapuram, Ramanathapuram District.
3. The Chairman,
Ramanathapuram Panchayat Union,
Ramanathapuram District.
4. The President,
Therkutharuvai Village Panchayat,
Therkutharuvai,
Ramanathapuram Taluk and District.



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N.SATHISH KUMAR, J

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