



W.P(MD)No.16800 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16800 of 2018

R.Malar

... Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Madurai.
- 2.The Revenue Divisional Officer,
Office of the Revenue Division,
Usilampatty, Madurai District.
- 3.The Tahsildar,
Office of the Tahsildar,
Usilampatty Taluk,
Madurai District.
- 4.The Executive Engineer,
Public Works Department,
Usilampatty Sub Division,
Madurai District.

5.Murugan

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 4 to take appropriate action against the 5th respondent and reconstruct the Government's damaged compound wall at Poochipatty stream, Nakkalappatty village, Usilampatty Taluk, Madurai District in order to protect the petitioner's agricultural land from the natural disasters by considering the petitioner's representation dated 13/07/2018.

For Petitioner	: Mr.D.S.Haroon Rasheed
For R1 to R4	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R5	: No appearance

ORDER

The petitioner has approached this Court that in order to protect the petitioner's agricultural land from natural disasters, the Government has constructed a compound wall 40 years back, however, the same was demolished by the fifth respondent and his henchmen on 17.11.2016, for which, the petitioner has lodged a compliant. However, no action was taken. The petitioner has also filed a writ petition in WP(MD) No.408 of 2017 and the same was ordered by this Court with a direction to the respondents to consider



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the representation of this petitioner. Thereafter, the fourth respondent, by his proceedings dated 21.04.2017 has restored the damaged compound wall. However, the same was once again damaged by the fifth respondent on 10.07.2018. Therefore, the petitioner has submitted a representation and filed this writ petition, seeking for a Mandamus to consider his representation dated 13.07.2018 to restore the compound wall damaged by the fifth respondent.

2.It appears that the compound wall has been constructed in order to protect the petitioner's agricultural land from the natural disaster. However, it was damaged by the fifth respondent twice. In such event, the respondents 1 to 4 shall consider the representation of this petitioner and restore the compound wall. If the fifth respondent or any other person has damaged the compound wall, it is the responsibility of the official respondents to take appropriate action as against the concerned persons.



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3. Accordingly, this writ petition is allowed with a direction to the fourth respondent to restore the compound wall as expeditiously as possible. No costs.

26.03.2024

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

To

1. The District Collector,
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2. The Revenue Divisional Officer,
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Usilampatty, Madurai District.
3. The Tahsildar,
Office of the Tahsildar,
Usilampatty Taluk,
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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.16800 of 2018

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