



W.P(MD)No.10241 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.10241 of 2017

P.Ezhilarasi

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Additional Collector /
Project Director,
District Rural Development Agency,
Madurai.

3.The Block Development Officer
(Panchayat Union),
Tirumangalam Panchayat Union,
Madurai District.

4.The Tahsildar,
Tirumangalam Taluk,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to close down the water channel which was wrongly excavated by the respondents through the petitioner's patta land in survey No.16/2A, up to the stretch of 15



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cents, out of 42 cents, Vidathaikulam Village, Thirumangalam Taluk, Madurai District, consequently direct the respondents to pay a sum not less than Rs.1,00,000/-(Rupees one lakh only) as damages and expenditures to be incurred by the petitioner to refill and level the above said excavated line of water channel with soil.

For Petitioner : Mr.S.Balamurugan
For Respondents : Mr.J.K.Jayaselan
Government Advocate
for R.1, R.2 & R.4

Mr.G.Muthukannan for R.3

ORDER

Heard Mr.S.Balamurugan, learned counsel for the petitioner, Mr.J.K.Jayaselan, learned Government Advocate for the respondents 1, 2 & 4 and Mr.G.Muthukannan, learned counsel for the 3rd respondent.

2. The prayer in the Writ Petition is to close the down the water channel that had been wrongly excavated in the petitioner's patta land in Survey No.16/2A at Vilathikulam Village, Thirumangalam Taluk and also for a consequential direction to the respondents to pay a sum of Rs.1,00,000/- for the damages and expenditure incurred by the petitioner.



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3. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has already parted with the said property. Consequently, the primary relief sought in the writ petition has become infructuous. However, regarding the payment of compensation, the learned counsel undertook to make a fresh representation to the first respondent.

4. Recording the same, no further adjudication is required to be made in the Writ Petition. However, the petitioner is at liberty to approach the first respondent for redressing his grievances.

5. With the above liberty, this Writ Petition is disposed of. There shall be no order as to costs.

03.12.2024

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



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K.KUMARESH BABU, J.

Nsr

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