



WEB COPY



W.P.No.870 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.870 of 2024
and W.M.P.No.12652 of 2025

J.Ganessin

... Petitioner

Vs

1.The Chief Engineer
Public Works Department
Puducherry-1.

2.The Superintendent Engineer
Circle-II
Public Works Department
Puducherry-1.

3.The Executive Engineer,
Public Heath Division,
Public Works Department,
Puducherry.

*[R-3 impleaded vide order dated
04.11.2025 in W.P.No.870 of 2024 by MDIJ]*

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to initiate the follow-up petition dated 10.08.2022 as per direction of this Hon'ble Court vide order in W.P.No.29262 of 2014 dated 10.06.2022 and to pay as relief of occupied portion of land compensation.



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For Petitioner : J.Ganessin (Party-in-Person)

For Respondents : Mr.V.Vasanthakumar
Additional Government Pleader (Puducherry)

ORDER

This Writ Petition has been filed seeking a direction to the 1st respondent to initiate the follow-up petition dated 10.08.2022 as per the direction of this Court in W.P.No.29262 of 2014 vide order dated 10.06.2022 and to pay compensation to the petitioner in respect of the occupied portion of the land.

2. Brief facts that are necessary for disposal of this Writ Petition are as follows:-

Alleging non-payment of compensation by the respondent for installation of borewell in his properties had earlier filed a Writ Petition in W.P.No.29262 of 2014 wherein this Court vide order dated 10.06.2022 directed the petitioner to produce the title documents within a period of four weeks and after verification of such documents, directed the respondents to implement the order dated 10.06.2020 passed by the 2nd respondent within twelve weeks thereafter. In compliance of the said order, the petitioner submitted a representation dated 10.08.2022 along with all the necessary documents before the 1st respondent which did not evoke any response from the respondents. Hence, the petitioner has come up with the present Writ Petition.



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3. When the matter is taken up for hearing, the petitioner appeared in person and reiterated the averments made in the affidavit filed in support of the Writ Petition and prayed to grant relief as sought for.

4. Per Contra, learned Additional Government Pleader (Puducherry) appearing for respondents submitted that pursuant to the petitioner's representation dated 10.08.2022, an order dated 24.04.2024 was passed by the Executive Engineer, Public Health Division, Public Works Department, Puducherry stating that steps were being taken for removal of borewell installed in the subject property and that the said work would be completed within a period of two (2) weeks.

5. In view of the above, the Executive Engineer, Public Health Division, Public Works Department, Puducherry being a necessary party, is *suo-moto* impleaded as the 3rd respondent in this Writ Petition who is directed to implement the order dated 24.04.2024 and remove the bore well from the subject property within a period of four (4) weeks from the date of receipt of a copy of this order. The petitioner is at liberty to file appropriate suit for claiming compensation.



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Nhs

6. The Writ Petition stands disposed of in the above terms. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

04.11.2025
(1/2)

Index : Yes / No

Neutral Citation Case : Yes / No

Nhs

To

1.The Chief Engineer
Public Works Department
Puducherry-1.

2.The Superintendent Engineer
Circle-II
Public Works Department
Puducherry-1.

3.The Executive Engineer,
Public Heath Division,
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