



W.P.No.31861 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

Writ Petition No.31861 of 2025

N.Kandasamy

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Namakkal District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Namakkal.
- 3.The Tahsildar,
Mohanur Taluk Office,
Namakkal District.
- 4.Murugesan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the second respondent herein to consider the Appeal Petition dated 30.07.2024 and to take appropriate action to remove the borewell erected without getting any permission from the authorities in the Water Stream.

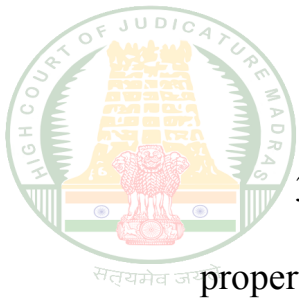
For Petitioner : Mr.M.Marimuthu

For Respondents 1 & 2 : Mrs.S.Indhu Bala,
Additional Government Pleader

ORDER

The petitioner has filed this petition to direct the the second respondent herein to consider the Appeal Petition dated 30.07.2024 and to take appropriate action to remove the borewell erected without getting any permission from the authorities in the Water Stream.

2. Mrs.S.Indhu Bala, learned Additional Government Pleader takes notice on behalf of respondents 1 to 3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself

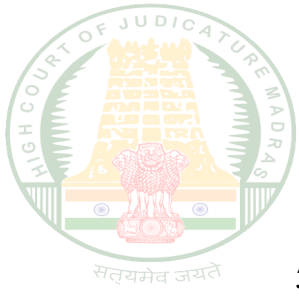


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3. The case of the petitioner is that the petitioner is the owner of the property comprised in S.Nos.67/1A and 1B to an extent of 1.72 acres in Chengapalli Village, Mohanur Taluk, Namakkal. In the southern side of the said land, a water stream (Neer Wari) is following from Pamadai to Komarapalayam canal, which was blocked by the fourth respondent, by sinking a Bore well. Due to which, the water flow path of the stream stopped and the water flowing from the stream was stagnated in petitioner's land. In this regard, the petitioner made a representation dated 04.09.2023. However, the third respondent has passed the order dated 09.09.2023, stating that the said water stream was not found in the village map and revenue records. Challenging the aforesaid order dated 09.09.2023, the petitioner preferred an appeal dated 30.07.2024, before the second respondent. However, till date no order has been passed. Hence, the petitioner has come forward with the present writ petition.

4. Though many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the second respondent to dispose the appeal dated 30.07.2024 filed by the petitioner.



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5. Learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the petitioner's appeal would be considered and orders passed, within a time frame that may be fixed by this Court.

6. Heard the learned counsels on either side and perused the materials available on record.

7. Considering the limited relief sought for by the learned counsel for the petitioner, this Court directs the second respondent to dispose the petitioner's appeal dated 30.07.2024 on merits and in accordance with law and pass appropriate orders, within a period of three months from the date of receipt of a copy of this order.

This writ petition is disposed of with the aforesaid direction. No costs.

02.09.2025

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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KRISHNAN RAMASAMY,J.

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