



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP NO. 23589 of 2024

AND

WMP NO. 25802 & 25801 OF 2024

Ravi,
S/o.Kanniyappan,
Mariyamman Koil Street, Chunambedu Madura Kavanoor
Village, Chunambedu Post, Cheyyur Taluk, Chengalpattu
District.

2.T.Kanniyappan

Petitioner(s)

Vs

1.The District Collector
Chengalpattu District, Chengalpattu.

2. The District Revenue Officer,
Chengalpattu District, Chengalpattu.

3. The Sub Divisional Executive Magistrate-cum-revenue Divisional Officer,
Maduranthakam, Chengalpattu District.

4. The Tahsildar,
Cheyyur Taluk, Chengalpattu District

5. The Inspector Of Police,
Chunambedu Police Station, Chengalpattu District,

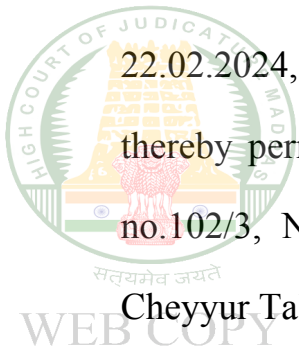
6. Ganatha,
W/o. Maniyan, Mariyamman Koil Street, Chunambedu Madura
Kavanoor Village, Chunambedu Post, Cheyyur Taluk,
Chengalpattu District.

7.Sivaprakasam

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to

issue a Writ of Mamdamus, to direct the respondents 3 & 4 to implement the order dated



22.02.2024, passed by the second respondent in RC.No.936/2024/M1, by letter t
thereby permitting them to draw a water from the common well situate at Old Survey
no.102/3, New Survey no.102/3A, situate at Chunambetu Madura Kavanoor Village,
Cheyyur Taluk, Chengalpattu District.

For Petitioner(s):

C.Prabakaran

For Respondent(s):

P.Balathandayutham Spl.G.P. for R1 to R4

A.Gopinath Government Advocate Criminal Side for R5

M/S. D. NELLAIAPPAN FOR R6,R7

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mamdamus, to direct the respondents 3 & 4 to implement the order dated 22.02.2024, passed by the second respondent in RC.No.936/2024/M1, by letter and spirit thereby permitting them to draw water from the common well situate at Old Survey no.102/3, New Survey no.102/3A, situate at Chunambetu Madura Kavanoor Village, Cheyyur Taluk, Chengalpattu District.

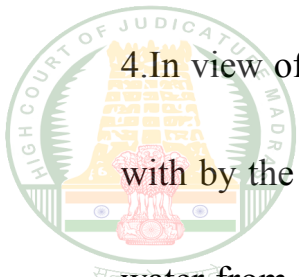
2.It is seen that there is a civil dispute pending between the petitioner and the respondents 6 and 7 herein pertaining to the drawing of water from the land comprised in S.No.102/3, measuring to an extent of 7 cents of land situate at Chunambedu Madura Kavanoor Village, Cheyyur Taluk, Chengalpattu District. Therefore, the petitioner filed a Suit in O.S.No.3 of 2022 on the file of the District Munsif-cum-Judicial Magistrate Court, Cheyyur along with an application for interim injunction and it is pending for



consideration.

3. While that being so, the 6th and 7th respondents approached the 5th respondent and

lodge a complaint alleging that they are not permitted to draw water from the well situated in the subject property. According to them, they had purchased the suit property and they are in possession and enjoyment of the same without any right to draw water from the well, the petitioners have been disturbing their possession and enjoyment of the subject property. Therefore, the said complaint was forwarded by the 5th respondent to the file of the third respondent to initiate proceedings under Section 145 Cr.P.C. After due enquiry, the third respondent passed an order dated 29.07.2022 directing to maintain status quo by A and B party till the outcome of the suit filed by the petitioners in O.S.No.3 of 2022 on the file of the District Munsif-cum-Judicial Magistrate Court, Cheyyur. However, the 6th and 7th respondents were permitted to draw water from their well and as such they filed an application before the second respondent. The second respondent vide order dated 22.02.2024, clarified the order stating that even at the time of passing the order of status quo, the respondent Nos. 6 and 7 were drawing the water from the well and the same will be continued till the disposal of the suit filed by the petitioners herein. However, at no point of time, the petitioners had drawn water from the well situated in the disputed property. In fact, the petitioners filed a suit and it is pending without any interim order.



4. In view of the above, the direction sought for in this Writ Petition has already

with by the respondents 2 & 3 and thereby, permitted the respondents 6 & 7 to draw the

water from the well till any order obtained from the civil Court. Hence, no further orders

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are required in the present Writ Petition.

5. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

17-03-2025

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To

1. The District Collector
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2. The District Revenue Officer,
Chengalpattu District, Chengalpattu.

3. The Sub Divisional Executive Magistrate-cum-revenue Divisional Officer,
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4. The Tahsildar,
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