



W.P(MD)No.3290 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3290 of 2025

S.Somasundaram

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Assistant Director,
Mines Department,
Collector Office Complex,
Sivagangai District.

3.The Superintendent of Police,
Collector Office Complex,
Sivagangai District.

4.The Sub Inspector of Police,
Poovanthi Police Station,
Sivagangai District.

5.Krishna Iyer

6.Rameswari

... 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 3 and 4 to take necessary action against the respondents 5 and 6 based on the petitioner's representations, dated 12.08.2024, 27.09.2024 and 18.10.2024 in accordance with law within the time stipulated by this Court and pass such further or other orders as this Court.

For Petitioner : Mr.M.Vignesh Kumar

For R-1 & R-2 : Mr.M.Senthil Ayyanar
Government Advocate (Civil)

For R-3 & R-4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 3 and 4 to take necessary action against the respondents 5 and 6 based on the petitioner's representations, dated 12.08.2024, 27.09.2024 and 18.10.2024 in accordance with law.

2. The learned Counsel appearing for the petitioner would submit that the respondents 5 and 6 caused damages to the land by digging the soil. Hence he had submitted representations to the respondents 1 to 4 to take legal action as



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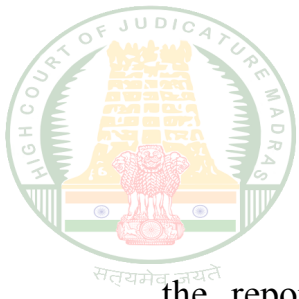
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against the respondents 5 and 6 but the same has not been considered by the Government officials.

3. Considering the limited scope of the prayer in this writ petition, this Court is inclined to dispense with the notice to the private respondents.

4. The learned Government Advocate appearing for the respondents 1 and 2 would submit that the petitioner has sought for compensation and therefore, the petitioner sought assistance of revenue authorities. Already they have sent communication to the revenue authorities and no reply was received from them. Therefore, after receipt of reply from the revenue authorities, they would dispose the representation of the petitioner. As far as taking action as against the respondents 5 and 6 are concerned, the third and fourth respondents have to take appropriate action.

5. The learned Additional Public Prosecutor appearing for the respondents 3 and 4 would submit that after receipt of report from the revenue authorities, they will take appropriate action after ascertaining the damages. Since the revenue authorities have to ascertain the damages, they are awaiting



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the report from the revenue authorities. However, they will dispose the representations of the petitioner as early as possible after receipt of the report from the revenue authorities.

6. Considering the above said submissions made by either parties and considering the facts and circumstances of the case, it is appropriate to direct the respondents 1 to 4 to dispose the representations of the petitioner, dated 12.08.2024, 27.09.2024 and 18.10.2024 on merits and in accordance with law, within a period of two (2) months from the date of receipt of a copy of this order.

7. With the said direction, this writ petition stands disposed of. There shall be no order as to costs.

04.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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P.DHANABAL, J.

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