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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.7506 of 2023
and
W.M.P.(MD)Nos.6998 and 6999 of 2023

S.Subburam

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai-625 020.

2.The Deputy Director of Health Services,
Viswanathapuram, Madurai-625 014,
Madurai District.

3.The Assistant Director of Town Panchayats,
District Collectorate Complex, Madurai-625 020.

4.The Block Medical Officer,
Government Primary Health Centre,
Sathyamoorthy Nagar, Samayanallur-625 402,
Madurai District.

5.The Executive Officer,
Town Panchayat, Paravai-625 402,
Madurai District.

6.Sirumani

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 5 to consider the petitioner's representation, dated 21.12.2022, 05.12.2022, 14.01.2023, 11.02.2022 and 22.02.2023 and take action against the sixth respondent and stop draining of septic tank water and filth on the road in front of the petitioner's house.

For Petitioner	:Mr.R.Iyappan
For R1 to R4	:Mr.J.Ashok Additional Government Pleader
For R5	:Mr.R.Ragavendran Government Advocate

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondents 1 to 5 to consider the representation given by the petitioner on several dates and finally on 22.02.2023 and take action against the sixth respondent and stop the draining of septic tank water on the road in front of the house of the petitioner herein.

2.Heard Mr.R.Iyappan, learned Counsel for the petitioner,
Mr.J.Ashok, learned Additional Government Pleader for the respondents



1 to 4 and Mr.R.Ragavendran, learned Counsel for the fifth respondent.

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3.The invocation of Article 226 of the Constitution for this private purpose itself has to be examined by this Court, but however, quite fortunately for the petitioner herein, the official respondents have filed a report that immediately after notice had been directed, the official respondents had also issued notice to the said sixth respondent and he had cleaned septic tank.

4.The learned Counsel for the petitioner stated that however still some of the wastages are dumped on the road.

5.To this extent, if the sixth respondent dumps wastage on the road, the respondents 1 to 5 may take appropriate steps in manner known to law to clean up the road space as that would cause obstruction not only to the petitioner, but to every resident. In view of the fact that the issue raised by the petitioner had been addressed, let me not pass any further orders.



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6.The Writ Petition stands disposed of. No order as to costs.

Consequently, connected miscellaneous petitions are closed.

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

24.04.2023

cmr

To

1.The District Collector,
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3.The Assistant Director of Town Panchayats,
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4.The Block Medical Officer,
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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.7506 of 2023

24.04.2023