



W.P.(MD)Nos.2760 of 2019 & 25304 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.2706 of 2019
&
W.P.(MD)No.25304 of 2022

In W.P.(MD)No.2706 of 2019

M.Alagar

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Madurai East Taluk,
Madurai.
- 3.The Block Development Officer,
Madurai East Union,
Madurai,
Madurai District.
- 4.The State Government,
Represented by Secretary to Government,
Public Works Department,
Chennai.
(R4 is suo motu impleaded vide order
dated 15.03.2019)



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5.The Commissioner,
Corporation of Madurai,
Arignar Anna Maligai,
Thallakulam,
Madurai 625 002.
(R5 is impleaded vide order
dated 20.06.2025 by CJ & SSYJ)

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the 1st, 2nd and 3rd respondents to consider the petitioners representation dated 24.12.2018 made before the respondents 1 to 3 and consequently direct the 3rd respondent to take necessary steps to clean up the Rajakambeeram Tank at Rajakambeeram Village, Y.Othakadai, Madurai District as enable to Stablize the water to make use of agriculture.

For Petitioner :Mr.B.Senthil Kumar

For Respondents :Mr.P.Thilak Kumar
Government Pleader
for R1 to R4
: Mrs.S.Devasena
Standing Counsel
for R5

In W.P.(MD)No.25304 of 2022

Ganesan

... Petitioner

Vs.



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- 1.State of Tamil Nadu
represented by
The Principal Secretary,
Public Works Department,
State of Tamil Nadu,
Fort St.George,
Secretariat,
Chennai-600 009.
- 2.Sate of Tamil Nadu
represented by
The Principal Secretary,
Department of Municipal Administration
and Water Body,
State of Tamil Nadu,
Fort St.George,
Secretariat,
Chennai-600 009.
- 3.The Engineer in Chief (Water Resources Organisation),
Public Works Department,
Chepauk,
Chennai-600 005.
- 4.The District Collector,
Office of the District Collector,
Madurai District.
- 5.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Outpost, Thallakulam,
Madurai-625 002.
- 6.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai District.



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7.The Assistant Director (Panchayat),
Madurai District,
Madurai.

8.The Chief Engineer,
Public Works Department,
Water Resources Organisation,
Madurai Region,
Thallakulam,
Madurai-625 002.

9.The Superintending Engineer,
Public Works Department,
Water Resources Organisation,
Periyar Vaigai Basin Circle,
Madurai Region,
Madurai-625 002.

10.The Executive Engineer,
Public Works Department,
Irrigation Section No.II,
Periyar Vaigai Basin Sub Division No.1,
Madurai-625 002.

11.The Tahsildar,
Office of the Tahsildar,
Madurai East Taluk,
Madurai.

12.The Block Development Officer,
Office of the Block Development Officer,
Madurai East Panchayat Union,
Race Course Road, Madurai.

13.The President,
Othakadai Village Panchayat,
Madurai East Taluk,
Madurai District.



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14.The President,
Narasingam Village Panchayat,
Narasingam, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to take appropriate action to prevent the mixing of Sewage which is pumped out from pumping station operating near the Honble Judges main entrance of this Honble Court into Rajagambeeram Kanmoi situating at Y.Othakadai, Madurai District, consequently direct the respondents to discharge the said sewage by set up any other suitable process instead of mixing it into Rajagambeeram Kanmoi situating at Y.Othakadai, Madurai District in accordance with law within the time stipulated by this court.

For Petitioner :Mr.R.Alagumani

For Respondents :Mr.Veerakathiravan
Additional Advocate General
assisted by
Mr.R.Raghavendran
Government Advocate
for R1 to R4, R11 to R14

: Mrs.S.Devasena
for R5

COMMON ORDER

These writ petitions have been filed in public interest. The petitioners point out that Rajakambeeram tank which falls within the territorial limits of Y.Othakadai Village Panchayat is being polluted and that the



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authorities concerned have not taken steps to check the same. One writ petition was filed way back in the year 2019, while the other writ petition was filed in the year 2022. The writ petitions were listed before the Hon'ble First Bench. The Hon'ble First Bench gave a specific direction that the State shall take steps to do the needful within four weeks from 20.06.2025. Even a copy of the said order was marked to the Chief Secretary. It appears that nothing has transpired for the past four months. No exception can be taken to the prayer made in the writ petition.

2. All that the writ petitioners are demanding is that the petition mentioned water body should be kept free of pollution as well as the encroachment. This is not an adversal litigation. We may also take judicial notice of the fact that this water body is located at a distance of hardly 500 meters from this Bench. If the water body is allowed to be polluted, it will definitely have an adverse impact on the ground water table. It is the statutory duty of the local body to ensure that all the water bodies falling within its limit are kept free of any kind of pollution.

3. The specific submission of the writ petitioners is that sewage as well as the drainage water from the homes being let out into this water body. It



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is utterly impermissible. Such nuisance deserves to be abated forthwith.

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4. We direct the jurisdictional Block Development Officer as well as the Local Body to take emergent steps to ensure that pollution of Rajakambeeram kanmoi is stopped. The remedial measures cannot be taken unless the encroachments in the water bodies are also removed. The authorities do not require nudging from the Court to take action to remove the encroachments. It is their statutory duty to act on their own. In any event, we give a specific direction to the concerned authorities not only to remove the encroachment but also prevent the water body from being further polluted.

5. We take judicial notice of the fact that State is liberal in disbursing grants to the local bodies. Considering the public health implication, we call upon the local bodies to deploy such funds for installing sewage treatment plants. We call upon the authorities concerned to take remedial action as mentioned above within a period of six months from today.



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6. These Writ Petitions are allowed accordingly. No costs.

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[G.R.S., J.] [B.P., J.]
23.10.2025

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

1. The Principal Secretary,
Public Works Department,
State of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai-600 009.
2. The Principal Secretary,
Department of Municipal Administration
and Water Body,
State of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai-600 009.
3. The Engineer in Chief (Water Resources Organisation),
Public Works Department,
Chepauk,
Chennai-600 005.
4. The District Collector,
Office of the District Collector,
Madurai District.
5. The Tahsildar,



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Office of the Tahsildar,
Madurai East Taluk,
Madurai.

6.The Block Development Officer,
Office of the Block Development Officer,
Madurai East Panchayat Union,
Race Course Road, Madurai.

7.The President,
Othakadai Village Panchayat,
Madurai East Taluk,
Madurai District.

8.The President,
Narasingam Village Panchayat,
Narasingam, Madurai.



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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