

WP No.31345 of 2014

The Hon`ble The. CHIEF JUSTICE

Change India

Repd. by its Director A.Narayanan, No.
7C, Daffodil, Ceebros Gardens, Arcot
Road, Virugambakkam, Chennai-600 092.

Vs

Government of Tamilnadu

Repd. by the Chief Secretary,
Secretariat, Chennai-600 009. and 3
others.

A further affidavit of compliance has been filed by the second respondent. It is stated that an agency has been identified for conducting Survey work on a pilot project basis. Thus, a limited tender for 500 premises on trial basis was initiated and on physical verification of 130 premises, 19 illegal sewer connections have been identified. This method of survey is stated now to be extended to the whole of Chennai Corporation area. The affidavit also states that steps had been initiated for ``Safety practices for Life Care`` for sewer workers and primary stake-holders setting out different components of intervention.

2. Insofar as the amendments to the Chennai City Municipal Corporation Act,1919 are concerned, the proposal is stated to be now with the highest authority, to be introduced in the next session of the Assembly.

3. The petitioner, party-in-person, has brought to our notice five aspects of concern:

(i) He states that despite direction passed on 12.02.2016 requiring the contractor to use mechanical devices, the tender conditions do not stipulate this aspect. However, learned counsel for the Corporation states that the invitation to tender, which is annexed may not contain the same, but the tender conditions do contain such a requirement.

(ii) Absence of clear road map for removing obstruction.

Learned counsel for the Corporation states that the affidavit filed by the second respondent should take care of this aspect.

(iii) The exercise of amendment to Municipal law is still pending. In this

behalf, as already stated in the affidavit of the second respondent, the amendment is stated to be in the process of being placed before the Assembly.

(iv) Road map qua time-line for preparation of draft document for Terms of Reference, Administrative Sanction, finalisation of bill documents being much behind time line submitted in February, 2016, learned counsel for Corporation states on instructions that the work would be completed on schedule.

(v) Arterial roads in Chennai, including the road in front of the Corporation Office as well as in other cities and towns being maintained by the Highways Department. The blame game is on attributing responsibility to each other qua cleaning of the storm water drains. This, in our view, would require co-ordinated action by the Highways department and the Chennai Metro Water supply and Sewerage Board/third respondent. Since the Highways Department is not a party, we consider it appropriate to implead the said entity as a party, being the 5th respondent, through the Chief Engineer.

Learned Government Pleader accepts notice for the newly impleaded 5th respondent and assures that necessary co-ordination shall take place.

Compliance report be filed at least three days before the next date of hearing with an advance copy to the learned counsel for the petitioner.

List for compliance on 16th September, 2016.

[CJ]

15/07/2016

KSR