

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6939 of 2015

K.S.Jonas

.. Petitioner

Versus

The Commissioner,
Tindivanam Municipality,
Tindivanam,
Villupuram District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondent to remove the garbage and debris blocked on the 8 feet wide lane and drain situated on the southern side of the petitioner's house to ensure free flow of the drain within a stipulated time to be fixed by this Court.

For Petitioner : Mr.M.R.Thangavel

For Respondent : Mr.R.Ravichandran,
Additional Government Pleader

ORDER

Heard Mr.M.R.Thangavel, learned counsel for the petitioner and Mr.R.Ravichandran, learned Additional Government Pleader appearing on behalf of the respondent and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner seeks for issuance of a writ of mandamus to direct the respondent to remove the garbage and debris blocked on the 8 feet wide lane and drain situated on the southern side of the petitioner's house to ensure free flow of the drain.

3. The grievance of the petitioner is that the garbage is dumped and drainage and debris are overflowing into the house situated on the southern region of the Chinna Mudali Street. In this regard, several representations and legal notices were sent from September 2014. But, the respondent/Municipality appears to have not acted on any of those representations. Therefore, the petitioner is compelled to come before this Court.

4. If the allegation made by the petitioner is true, it is rather unfortunate since the local body is required to maintain a hygienic atmosphere in the locality, more so, when there is rampant spreading of dreadful disease through out the State of Tamil Nadu.

5. In the light of the above, there will be a direction to the respondent to consider the representation of the petitioner dated 01.11.2014 and legal notice dated 21.09.2014 and to immediately direct an inspection to be conducted in the said area. If there is stagnation of drain water or debris has been dumped indiscriminately, appropriate action would be taken in this regard within a period of ten days from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP/gya

To
The Commissioner,
Tindivanam Municipality,
Tindivanam,
Villupuram District.

+ 1 cc to M/s. M.R. Thangavel, Advocate, Sr.14108

RSK(CO)
Eu 21.03.2015

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