

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22..04..2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice T.S.SIVAGNANAM

W.P.No.33343 of 2007
and M.P.Nos.1 of 2007 and M.P.No. 1 of 2008

T.Retnapandian .. Petitioner

versus

1. The State of Tamil Nadu
represented by its Secretary
Public Works Department
Fort St.Geroge, Chennai 600009.
- 2.The Secretary
I.T.Department,
Fort St.George, Chennai 600 009.
- 3.The Secretary
Local Administration Department,
Fort St.George, Chennai 600009.
4. The Elcot Limited,
represented by its Managing Directors
Thiru.Vi.Ka Estate, Guindy, Chennai 600032.
- 5.The District Collector,
Kancheepuram District,
Kancheepuram.
- 6.The Executive Engineer
P.W.D.Department,
through Palar Drainage land Zone,
Kancheepuram.
- 7.The Executive Officer,
Sholinganallur Town Panchayat,
Sholinganallur, Chennai.

8.The WIPRO Technologies Limited,
represented by its Managing Director,
Doddakannlli, Sajapur Road,
Bangalore 630035.

9.HCL Technologies Limited,
represented by its Managing Director,
No.806, Siddharph,
96, Nehru Palace,
New Delhi 110 020.

10.Classic Retreat Welfare Association,
Plot No.1, Classic Retreat,
Classic Forms road,
IT Highway, Sholinganallur,
Chennai 600 119.

11.Sholinganallur Village Welfare Association,
No.84, Village High Road,
Sholinganallur, Chennai 600119.

(R.10 and R.11 impleaded as per order
dated 12.10.2009 by PSDJ and MSNJ in M.P.No.2 of 2008)
... Respondents

Petition filed under Article 226 of the Constitution of India
praying for the issue of a writ of mandamus, directing the
respondents to form a drainage channel inside the lands in
S.No.602/1A3 of Sholinganallur Village facilitating the flow of flood
water from the west and south of the above lands through the same and
its safe passage into the sea through the Okkiam Village outlet in
the Buckingham canal and also to establish check dams and rain water
harvesting pits along the course of the channel before completing the
development of the above lands and construction of buildings and
establishment of I.T. Units thereon.

For Petitioners ::: Ms.Mythili Srinivas

For Respondent ::: Mr.S.T.S.Moorthy
Government Pleader
for RR 1 to 3, 5, 6 and 7.

Mr.M.Vijayan for King and Patridge for R.4
Mr.N.V.S.Associates for R.8.
Mr.B.T.Seshadri for R.9.
Mr.T.Mohan for R.10 and R.11.

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

With passage of time, much water has flown (figuratively). Interim directions were passed on 20.10.2009, requiring construction of a drainage channel along with the southern side leading West of I.T.Parks for drainage of running water and the culverts to be cleared. In substance, the problem is the apprehension that the raising of the level of ground would result in flow of the water to the low lying areas and thus, the necessity for a proper system for drainage of rain water.

2. We are of the view that it is suffice to direct the fifth respondent to carry out a fresh assessment and exercise for the aforesaid purpose, and it is for the 4th respondent in collaboration with the Government agencies to implement the same. The review exercise be carried out within one month from today. The remedial measures be taken within a maximum period of three months thereafter. Joint-Compliance report be filed setting out the result of re-assessment, action taken with photographs of the area.

3. The compliance report be filed three days before the next date of hearing.

4. The writ petition accordingly stands disposed of. No costs. Consequently, M.P.No.1 of 2007 and M.P.No.1 of 2008 are closed.

List for compliance on 16.09.2015.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ksr

To

1. The Secretary
Public Works Department
Fort St.Geroge, Chennai 600009.

2.The Secretary
I.T.Department,
Fort St.George, Chennai 600 009.

3.The Secretary
Local Administration Department,
Fort St.George, Chennai 600009.

4.The District Collector,
Kancheepuram District,
Kancheepuram.

5.The Executive Engineer
P.W.D.Department,
through Palar Drainage land Zone,
Kancheepuram.

6.The Executive Officer,
Sholinganallur Town Panchayat,
Sholinganallur, Chennai.

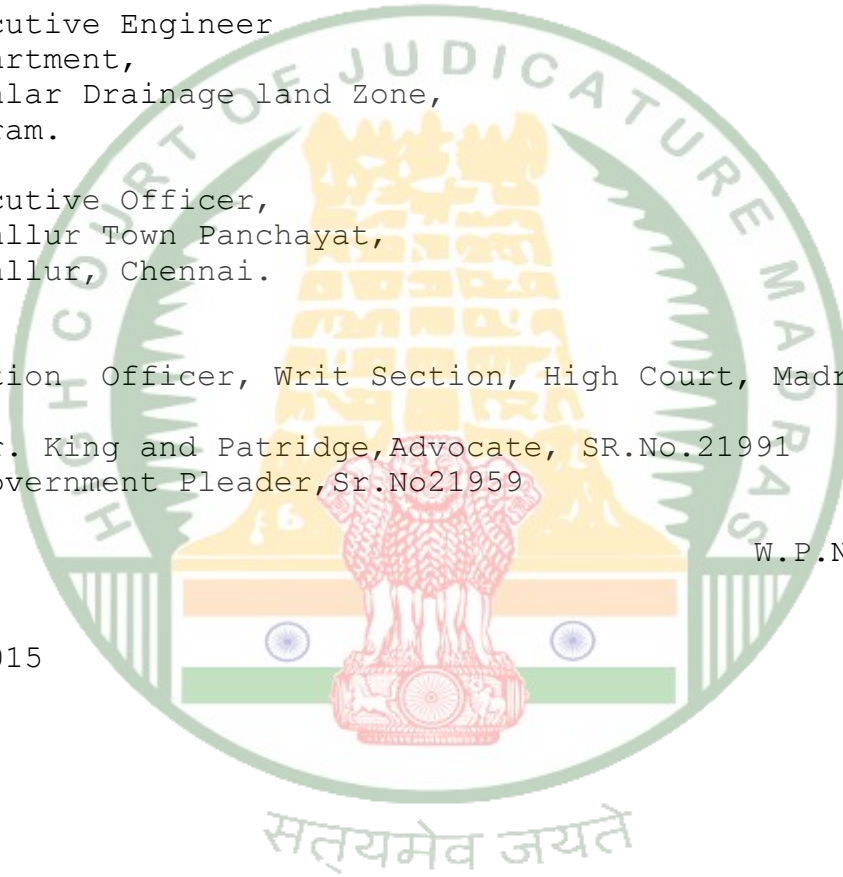
7.The Section Officer, Writ Section, High Court, Madras.

1 cc to Mr. King and Patridge, Advocate, SR.No.21991

1 cc to Government Pleader, Sr.No21959

W.P.No.33343 of 2007

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pmk.8.5.2015



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