



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

W.P. (MD) No. 920 of 2015

and

M.P. (MD) No. 1 of 2015

A. Athivalavan

... Petitioner

Vs.

1. The District Collector,
Madurai District.

2. The Block Development Officer,
Madurai East, (Inside Collector Office),
Madurai.

3. The President,
Karuppayoorani Panchayat Office,
Karuppayoorani, Madurai.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to clean the Palla Oorani at Karuppayoorani North Street, Karuppayoorani, Madurai forthwith based on the representation of the petitioner dated 19.12.2014.

For Petitioner : Mr. F. Deepak

For Respondents : Mr. N. Manoharan, Spl. G.P.

ORDER

(Order of this Court was made by S. TAMILVANAN, J.)

Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

2. Learned counsel appearing for the petitioner exonerated the respondents 2 and 3, since the relief sought for is only against the District Collector, Madurai, the first respondent herein. Learned counsel appearing for the petitioner submitted that it is a Public Interest Litigation. Palla Oorani at Karuppayoorani North Street, Karuppayoorani, Madurai, is a water body, used by the general public for irrigating their lands. However, due to mixing of garbage waste in the Oorani, making it as gutter water. Though the petitioner made a written representation dated 19.12.2014 before the District Collector, Madurai, the first respondent herein, the same was not considered till date.

3. In support of his contention, learned counsel produced a copy of the representation made to the District Collector, Madurai along with postal acknowledgment, apart from the alleged photo copies of the said Oorani, showing the dumping the garbage waste in the water body.



4.Learned Special Government Pleader appearing for the respondents submitted that there is no objection in directing the District Collector, the first respondent herein, to consider the representation made by the petitioner and pass appropriate orders according to law.

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5.Having considered the facts and circumstances, we find it just and reasonable to allow the Writ petition. Accordingly, the Writ petition is allowed and the first respondent / District Collector, Madurai is directed to consider the representation made by the petitioner dated 19.12.2014 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected M.P.is closed.

Sd/-

Assistant Registrar(Per.Admn)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District.

2.The Block Development Officer,
Madurai East, (Inside Collector Office),
Madurai.

3.The President,
Karuppayoorani Panchayat Office,
Karuppayoorani, Madurai.

+1cc to Mr.F.Deepak, Advocate Sr NO.4033

+1cc to Special Government Pleader Sr NO.3937

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