

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 2/2/2016

C O R A M

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.Nos.29305 to 29313, 31381 to 31387, 30133 to 30139, 31632 to 31637, 31662 to 31665, 29016 to 29027 and 32384 of 2015
and connected Miscellaneous Petitions.

1	R.SRINIVASAN	... PETITIONER in WP No.29305 of 2015
1	N.KALAIMANI	... PETITIONER in WP No.29306 of 2015
1	M.AKTHAR	... PETITIONER in WP No.29307 of 2015
1	A.BEAULAH MARY	... PETITIONER in WP No.29308 of 2015
1	R.S.SANKARAN	... PETITIONER in WP No.29309 of 2015
1	I.VIMALABAICHRISTY	... PETITIONER in WP No.29310 of 2015
1	T.CHETTY	... PETITIONER in WP No.29311 of 2015
1	LEELAVATHI	... PETITIONER in WP No.29312 of 2015
1	J.M.SALLIAH	... PETITIONER in WP No.29313 of 2015
1	D.HARIKUMAR	... PETITIONER in WP No.31381 of 2015
1	KANCHANA	... PETITIONER in WP No.31382 of 2015
1	D.SUGUNA KUMARI	... PETITIONER in WP No.31383 of 2015
1	A.MAHENDRAN	... PETITIONER in WP No.31384 of 2015
1	AMBROSE ANDREW	... PETITIONER in WP No.31385 of 2015
1	R. SARADHAMANI	... PETITIONER in WP No.31386 of 2015
1	SEETHALAKSHMI	... PETITIONER in WP No.31387 of 2015
1	SUKUMARAN	... PETITIONER in WP No.30133 of 2015
1	K.BABULAL	... PETITIONER in WP No.30134 of 2015
1	M.GANESAN	... PETITIONER in WP No.30135 of 2015
1	K.RAJENDRAN	... PETITIONER in WP No.30136 of 2015

1 M.AROKIANATHAN ... PETITIONER in WP No.30137 of 2015
1 JOHNBOSCO ... PETITIONER in WP No.30138 of 2015
1 M.P.JANARDHANAN ... PETITIONER in WP No.30139 of 2015
1 J.A.DIVAKARAN ... PETITIONER in WP No.31632 of 2015

1 K.CHANDRAKANTHI ... PETITIONER in WP No.31633 of 2015
1 MEGALA NATARAJAN ... PETITIONER in WP No.31634 of 2015
1 S.PREMAVATHI ... PETITIONER in WP No.31635 of 2015
1 C.JESUDOSS ... PETITIONER in WP No.31636 of 2015
1 A.ARUNA ... PETITIONER in WP No.31637 of 2015
1 P.V.JANAKI ... PETITIONER in WP No.31662 of 2015
1 P.RAMESH ... PETITIONER in WP No.31663 of 2015
1 B.A.KRISHNAVENI ... PETITIONER in WP No.31664 of 2015
1 S.JANSI RAVI ... PETITIONER in WP No.31665 of 2015
1 D.KRISHNAMOORTHY ... PETITIONER in WP No.29016 of 2015
1 B.RAMACHANDRAN ... PETITIONER in WP No.29017 of 2015
1 R.SUKUMARAN ... PETITIONER in WP No.29018 of 2015
1 A.JOHN FRANSIS ... PETITIONER in WP No.29019 of 2015
1 D.KUMAR ... PETITIONER in WP No.29020 of 2015
1 V.SUMATHI ... PETITIONER in WP No.29021 of 2015
1 M. SAMRAJ ... PETITIONER in WP No.29022 of 2015
1 A.RADHA ... PETITIONER in WP No.29023 of 2015
1 T.EDWIN JEYA ... PETITIONER in WP No.29024 of 2015
1 S.NIRMALA ... PETITIONER in WP No.29025 of 2015
1 SUREKHA ... PETITIONER in WP No.29026 of 2015
1 S.SENTHILVELU ... PETITIONER in WP No.29027 of 2015

1 R. SELVAM
W/O. VEDAMANICKAM

2 V. ISSAC
S/O. VEDAMANICKAM BOTH ARE RES. AT NO.215
SRI BALAJI GARDENS PRESS COLONY POST
COIMBATORE - 641 019... PETITIONER in WP No.32384 of 2015

Srivari Builders rep by its
Proprietor M.R.Rathindran,
Coimbatore

...R2 in WP.No.31381 to 31387,
30133 to 30139, 31632 to 31637
31662 to 31665 and 32384/2015

Vs

1. The Executive Officer
4 Veerapandi Town Panchayat
Coimbatore 641 019. ...R1 in all WPs

2. Mr.M.R.Rathindran ...R2 in WPs.29305 to 29313,
31662 to 31665 & 32384/15

3. The Secretary
Government of Tamil Nadu
Municipal Administration
Water & Sewerage Board
Fort St. George
Chennai.R3 to R5 in WPs 29305 to 29313
30133 to 30139, 31381 to
31387/15

4. The Director of Town Panchayat
Kuralagam Building
Chennai. ...RR2 to 4 in WPs.29016 to
29027/15

5. The Assistant Director of Town Panchayat
Coimbatore.

(R.R.2 to 5 is suo motu impleaded as per
order dated 16/9/2015 in W.P.Nos.
29305 to 29313 of 2015)

(R2 to R4 Suo Motu impleaded vide order
dated 22/9/2015 in WPs 29016 to 29027/2015

6.The District Collector
Coimbatore ...R6 in WPs 30133 to 30139/2015
(R6 is suo motu impleaded as per
order dated 25.09.2015 in WP.No.30133
to 30139/2015)

Prayer in all WPs: Writ petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorari calling for the records of the respondent in Na.Ka.No.80/2015 dated 7/7/2015 and quash the same as illegal arbitrary and non-est in Law.

For Petitioner...Mr.B.Vijay(in WPs.31662 to 31665
31632 to 31637/15 & 32384/15)

For Petitioner...Mr.C.Veeraraghavan(in WPs.29305 to
29313,31381 to 31387/2015, 30133 to
30139, 29016 to 29027/15)

For respondents ...Mr.R.M.Muthukumar
Additional Government Pleader
for R.1(in all WPs)

Mr.R.Rajeswaran
Special Government Pleader
for R.R.3 to 5(in WPs.29305 to 29313,
31381 to 31387)
(RR3 to R6 30133 to 30139
RR2 to r4 (29016 to 29027)

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C O M M O N O R D E R

In all these writ petitions, the petitioners have challenged the proceedings issued by the first respondent dated 7/7/2015.

2. Similar writ petitions were filed by the other residents of the area in W.P.Nos.37236 to 37239 of 2015 and this Court, vide common order, dated 23/11/2015, had disposed of the writ petitions. The operative portion of the common order reads as follows:-

"17. Accordingly, instead of setting aside the impugned order, the petitioners are directed to submit a representation with an undertaking to the first respondent, clearly setting out, as to within what time, they will be able to complete the construction of individual septic tank. If anyone of the petitioners is unable to construct individual septic tank for any valid reason, then, he/she/they shall mention the same in their representation, which shall be considered

by the first respondent. The above directions shall be complied by the petitioners within a period of eight weeks from the date of receipt of a copy of this order and thereafter, the first respondent shall pass appropriate orders considering those individual requests. In all other cases, for which, this Court is of the view that they should be granted a minimum of four months time, to comply with the direction and complete the construction of individual septic tank.

18. With the above directions, the writ petitions are disposed of. Till the above proceedings are completed, no coercive action shall be taken against the petitioners. No costs. Consequently, all connected pending MPs are closed."

3. Following the above common order, these writ petitions are disposed of on the above lines. No costs. Consequently, the connected pending Miscellaneous Petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Executive Officer
4 Veerapandi Town Panchayat
Coimbatore 641 019.
2. The Secretary
Government of Tamil Nadu
Municipal Administration
Water & Sewerage Board
Fort St. George
Chennai.
3. The Director of Town Panchayat
Kuralagam Building
Chennai.

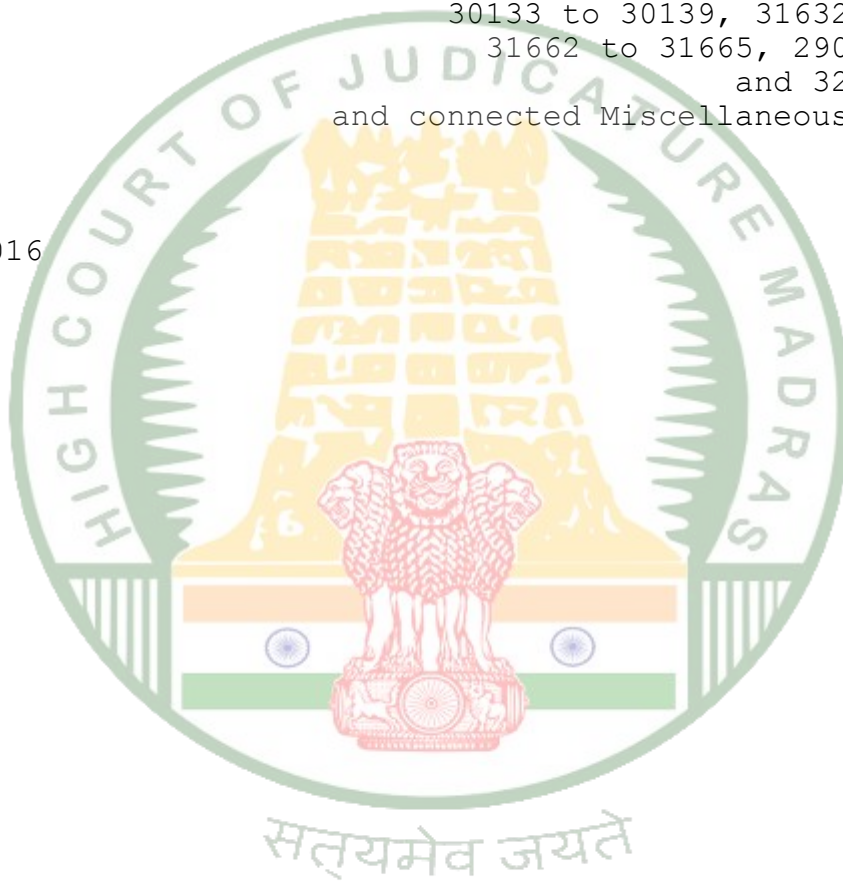
4. The Assistant Director of Town Panchayat
Coimbatore.

5. The District Collector
Coimbatore

+1 cc to Mr.C.Veeraraghavan Advocate sr.6742
+1 cc to Mr.D.Suriya Narayanan Advocate sr.7038
+1 cc to Mr.B.Vijay Advocate sr.6743

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