

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.Nos.43180 of 2016

P.Sundararaj

.. Petitioner

-vs-

1.The District Collector,
Namakkal District,
Namakkal.

2.The Revenue Divisional Officer,
Trichengode,
Trichengode Taluk,
Namakkal District.

3.The President of Panchayat,
Thattanguttai Panchayat,
Komarapalayam,
Komarapalayam Taluk,
Namakkal District.

4.The Tahsildar,
Komarapalayam,
Komarapalayam Taluk,
Namakkal District.

5.The Block Development Officer,
Pallipalayam Union,
Pallipalayam,
Namakkal District.

6.The Commissioner,
Komarapalayam Municipality,
Komarapalayam,
Namakkal District.

... Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 19.09.2016 and 13.10.2016 and to restore the pond in its original position situated between the joining place of National Highway NH-47 and Komarapalayam State Highway road at Komarapalayam, Namakkal District.

For Petitioners : Mr.R.Marudhachalamurthy

For Respondents : Mr.M.K.Subramanian
Government Pleader

ORDER

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

The allegation of the petitioner is that a small pond situated at the junction of National Highway NH-7 and Komarapalayam State Highway is being used as dumping ground for garbage by respondent Nos.6 and 3 and in fact, even by other residents. The representations of the petitioner in this behalf dated 19.09.2016 and 13.10.2016 remained unaddressed.

2. On hearing the learned counsel for parties, we direct that respondent No.4 will cause an inspection to be made with the assistance of respondent N.5 of the area concerned to verify the existence of the pond and if it is so found, respondent Nos.3 and 6 will take steps to clear the pond area.

3. We are of the view, even if it is not a pond, the photographs at page No.19 show an ungainly sight, and the garbage cannot be dumped in this manner, which actually coming on to the road.

4. The inspection be carried out within a period of fifteen days from the date of receipt of the copy of the order and necessary action be taken within one month thereafter, with intimation to the petitioner.

5. The writ petition, accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

bbr

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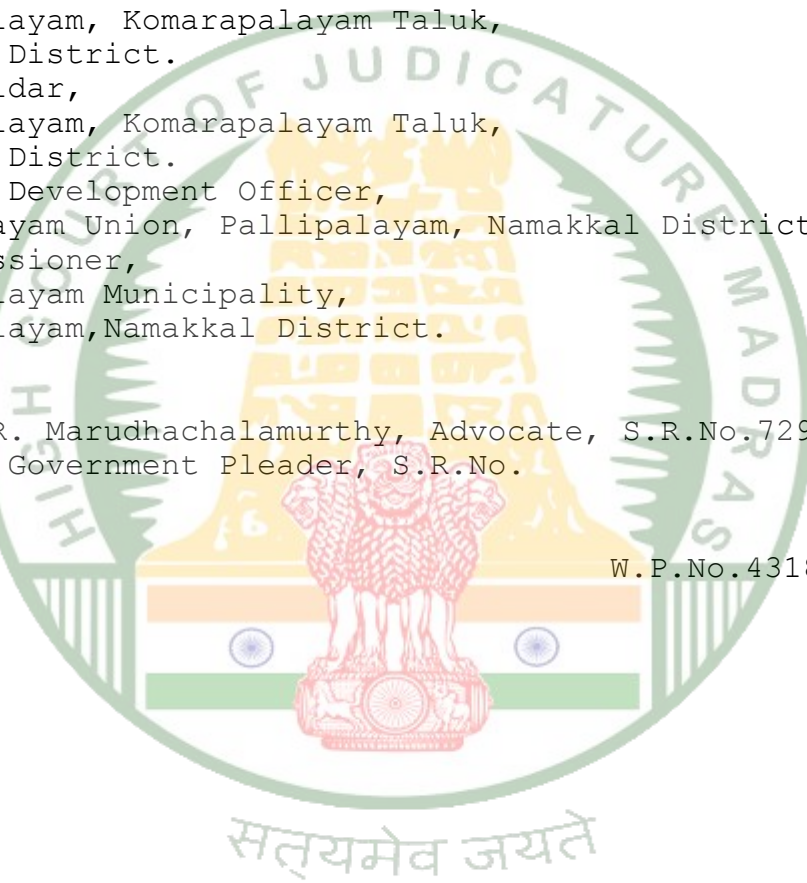
- 1.The District Collector,
Namakkal District, Namakkal.
- 2.The Revenue Divisional Officer,
Trichengode, Trichengode Taluk,
Namakkal District.
- 3.The President of Panchayat,
Thattanguttai Panchayat,
Komarapalayam, Komarapalayam Taluk,
Namakkal District.
- 4.The Tahsildar,
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Namakkal District.
- 5.The Block Development Officer,
Pallipalayam Union, Pallipalayam, Namakkal District.
- 6.The Commissioner,
Komarapalayam Municipality,
Komarapalayam, Namakkal District.

+1cc to Mr.R. Marudhachalamurthy, Advocate, S.R.No.72956

+1cc to the Government Pleader, S.R.No.

W.P.No.43180 of 2016

CA (CO)
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