



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.10211 of 2016

S.Gopalakrishnan

... Petitioner

Vs.

- 1.The District Collector,
Trichy District,
Trichy-1.
 - 2.The Assistant Director of Village Panchayats,
Collectorate Campus,
Trichy-1.
 - 3.The Block Development Officer (Village Panchayats)
Thiruverumbur Panchayat Union,
Thiruverumbur,
Trichy-13.
 - 4.The President,
Palanganagudi Village Panchayat,
Poolangudi,
Trichy-25.
- ... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to restore the drainage facility along side the house of the petitioner in North 3rd Street comprised in R.S.No.110-1 of Poolangudi Village, Tiruverumbur Taluk, Trichy District.

For Petitioner : No appearance
For Respondent : Mr.S.Sadash Kumar
Addl. Govt. Pleader

O R D E R

There is no representation on the side of the petitioner. However, there is representation on the side of the respondents.

2. Heard the Learned Additional Government Pleader appearing for respondents.



3. It comes to be known that there is a public street by name North 3rd Street, running in front of the house of the petitioner in R.S.No.110-1 of Poolangudi Village, Thiruverumbur Taluk, Trichy District. The said public street is being maintained by the fourth respondent Panchayat. In this connection, it is the plea of the petitioner that during the year 2008, when concrete road was laid in the said street, drainage facilities were provided in in both sides. All of a sudden, on 05.04.2012, the fourth respondent/ The President, Palanganagudi Village Panchayat, Poolangudi with her men visited the said street and closed the drainage facility along the side of the house of the petitioner, with cement mixture. Because of the closure of drainage facility, the petitioner is unable to let out the waste water, which in consequence causes water stagnation on both sides i.e inside of his compound as well as in the street.

4. It is the version of the petitioner that from the year 2012, he pleaded with the respondents to restore the drainage facility provided along the side of his house. On 13.04.2016, he has sent a detailed representation to the respondents in the subject matter in issue.

5. In view of the fact that the petitioner's representation dated 13.04.2016 is admittedly pending before the respondents, without any progress or disposal, this Court, at this stage, to secure the ends of Justice and to prevent an aberration of Justice, directs the respondents to immediately look into the detailed representation of the petitioner dated 13.04.2016 , within a period of one week from the date of receipt of a copy of this order. Thereafter, the respondents shall pass a detailed, reasoned, speaking order, on merits in a free, fair and dispassionate manner, of-course, after providing enough opportunity to the petitioner and others concerned, by following the principles of Natural Justice in true letter and spirit, within a period of three weeks. The petitioner is directed to lend his assistance and co-operation to the concerned respondent in regard to the disposal of his representation.

6. With the aforesaid observations and directions, the writ petition stand disposed of. No costs.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar



VS

To

1.The District Collector, Trichy District,
Trichy-1.

2.The Assistant Director of Village Panchayats,
Collectorate Campus, Trichy-1.

3.The Block Development Officer (Village Panchayats)
Thiruverumbur Panchayat Union, Thiruverumbur,
Trichy-13.

4.The President, Palanganagudi Village Panchayat,
Poolangudi, Trichy-25.

+1CC to Mr.C.T.Perumal, Advocate Sr.No.31397

+1CC to Spl.Government Pleader Sr.No.31235

GJM/DB/27.6.16-3p-7c

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