

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.17404 of 2016

P.Maharajan

... Petitioner

vs.

1. The Chief Secretary,
State Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai 600 009.
2. The Secretary,
Home Department,
Secretariat,
Fort St. George,
Chennai 600 009.
3. The Secretary,
Health Department,
Secretariat,
Fort St. George,
Chennai 600 009.
4. The Director,
Vigilance and Anti-Corruption Department,
NCB - 21-28, P.S.Kumarasamy Raja Road,
Raja Annamalaipuram,
Chennai 600 028.
5. The Director General of Police,
State of Tamil Nadu,
Mylapore, Chennai 600 004.
6. The Commissioner of Police,
Vepery, Chennai 600 007.
7. The Assistant Commissioner of Police,
Office of the Assistant
Commissioner of Police,
St. Thomas Mount,
Chennai 600 016.

8. The Inspector of Police,
Law and Order,
S.10, Pallikaranai Police Station,
Pallikaranai,
Chennai 600 100.

9. The Commissioner,
Corporation of Chennai,
Chennai.

... Respondents

(R9 suo motu impleaded as per order
dated 01.06.2016 in
W.P.No.17404/2016)

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 06.04.2016 and consequently direct the 3rd respondent to take prompt and necessary action, thereby curtailing the discharge of human waste in the residential area of Medavakkam.

For Petitioner : No representation

For Respondents: Mr.A.Kumar,
Special Govt. Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the respondents to consider his representation dated 06.04.2016 and consequently direct the 3rd respondent to take prompt and necessary action, thereby curtailing the discharge of human waste in the residential area of Medavakkam.

2. According to the petitioner, he is residing in the residential apartments in Medavakkam. After realizing that the untreated human waste collected from septic tanks in the Chennai Corporation area are discharged by septic tanker lorries in his residential area, he lodged a complaint before the 8th respondent on 15.12.2014. Since no action was taken on his complaint, he sent a detailed representation dated 22.12.2014 to all the respondents herein and to the Hon'ble Chief Minister Grievance Redressal Special Cell and requested them to take necessary action in this regard. Pursuant thereto, by a notice dated 11.02.2015, the petitioner was called upon by the 8th respondent for an enquiry and he was informed by the 9th respondent that action is being taken on his complaint. However, the illegal discharge of human sewage continued in the petitioner's area and hence, he finally sent a representation

dated 06.04.2016 to all the respondents and to the Hon'ble Chief Minister's Grievances Redressal Cell requesting them to take immediate action against the discharge of human waste in his area. Despite several representations, since no action is taken by the respondents, the petitioner is before this Court.

3. Today, when the matter is taken up for hearing, none represented the petitioner. Heard the learned Special Government Pleader appearing for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the 3rd respondent herein to take into account the seriousness involved in this case and consider the petitioner's representation dated 06.04.2016 on merits and in accordance with law and pass appropriate orders, as expeditiously as possible, after giving an opportunity of hearing to the parties concerned.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To:

1. The Chief Secretary,
State Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai 600 009.

2. The Secretary,
Home Department,
Secretariat, Fort St. George,
Chennai 600 009.

3. The Secretary,
Health Department,
Secretariat,
Fort St. George,
Chennai 600 009.

4. The Director,
Vigilance and Anti-Corruption Department,
NCB - 21-28, P.S.Kumarasamy Raja Road,
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5. The Director General of Police,
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Law and Order,
S.10, Pallikaranai Police Station,
Pallikaranai,
Chennai 600 100.
9. The Commissioner,
Corporation of Chennai,
Chennai.

+1cc to Mr.P.V. Selvakumar, Advocate, S.R.No.6427
+1cc to the Government Pleader, S.R.No.6973

MSM(CO)
EU 17.2.17

सत्यमेव जयते

W.P.No.17404 of 2016

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