



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2017

CORAM:

WEB COPY

**THE HONOURABLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU
SUO MOTU W.P.[MD].No.19761 of 2017**

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

: Petitioner

Vs.

- 1.The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 2.The Principal Secretary to Government,
Public Works Department,
Secretariat, Chennai - 600 009.
- 3.The Engineer-in-Chief (General),
Public Works Department, Chepauk, Chennai.
- 4.The Chief Engineer,
Water Resource Organisation,
Trichy Region, Trichy.
- 5.The District Collector,
Thanjavur District, Thanjavur.
- 6.The Commissioner,
Thanjavur Municipal Corporation,
Thanjavur.
- 7.The Executive Engineer,
Public Works Department,
Water Resource Organisation,
Thanjavur.

- 8.The District Collector, Pudukottai District.

[R-8 is impleaded vide order dated 27.10.2017 in W.P.(MD).
No.19761 of 2017] : Respondents

PRAYER: Writ Petition is filed under Article 226 of the
Constitution of India to issue a Writ of Mandamus directing the
respondents to clean the Canal within a stipulated period and
check on the cleanliness of the same, periodically.

For Petitioner

: Mr.A.Thiagarajan

for Mr.Pala Ramasamy

For Respondents 1 to 5 & 7 : Mr.T.S.Mohammed Mohideen
Additional Government Pleader



For Respondent No.6

: Mr.N.Dilip Kumar

O R D E R

[Order of the Court was made by **The Hon'ble Chief Justice**]

From the status report, we find that the work of cleansing the Grand Anaicut Canal has commenced and has almost been completed. The status report reveals that the canal runs through a stretch of 149 Kms up to Pudukottai District and approximately a stretch of 1 to 2 Kms, passes through the jurisdiction of the Thanjavur Municipal Corporation. The Thanjavur Municipal Corporation shall ensure that regular cleansing operations are carried out within its jurisdiction. The respondent authorities shall ensure that there is no dumping of garbage, waste materials, debris etc., into the canal. Stringent action in accordance with law shall be taken against those found polluting the canal, including imposition of fine on the Principle "the polluter pays for the pollution". Since a part of the channel passes through Thanjavur District, but, outside the jurisdiction of the Thanjavur Municipal Corporation and part of it runs through Pudukottai District, we deem it appropriate to add the District Collector, Pudukottai District as party respondent. The Public Works Department shall ensure that the entire canal is cleansed and free from pollution and there is no dumping of any waste materials into the canal.

2. The Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 2.The Principal Secretary to Government,
Public Works Department, Secretariat, Chennai - 600 009.
- 3.The Engineer-in-Chief (General),
Public Works Department, Chepauk, Chennai.
- 4.The Chief Engineer,
Water Resource Organisation,
Trichy Region, Trichy.
- 5.The District Collector,
Thanjavur District, Thanjavur.



6.The Commissioner,
Thanjavur Municipal Corporation,
Thanjavur.

7.The Executive Engineer,
Public Works Department,
Water Resource Organisation, Thanjavur.

8.The District Collector,
Pudukottai District.

9.The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.N.DILIP KUMAR, Advocate SR.No.84454
+1cc to Special Government Pleader, SR.No. 84207

NB

MAS/JC/SAR2:08.11.2017:3P-12C

ORDER MADE IN
W.P. [MD] .No.19761 of 2017
27.10.2017