



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2019

CORAM:

THE HONOURABLE **MR.JUSTICE T.S.SIVAGNANAM**

and

THE HONOURABLE **MRS.JUSTICE R.THARANI**

Writ Petition (MD).No.23846 of 2019

S.K.Palanisamy

... Petitioner

Vs.

1.The District Collector,
Trichy District,Trichy.

2.The Revenue Divisional Officer,
Srirangam Sub Division,
Vannankovil, Trichy District.

3.The Tahsildar,
Manaparai Taluk,
Manaparai, Trichy District.

4.The Block Development Officer,
Vaiyampatti Panchyat Union,
Vaiyampatti, Manaparai Taluk,
Trichy District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to take immediate action for stoppage of shed and trashing the garbage and medical wastages nearby the agriculture lands of the petitioner and the villagers situated at the foot hill of Kumaraguru Malai, Vaiyampatti Panchayat, Manaparai Taluk, by directing the fourth respondent to shed and trash the garbage and medical waste in the original place situated nearby burial ground opposite to Vaiyampatti Panchyat Union Office at Vaiyampatti Panchyat, Manaparai Taluk, Trichy District based on the representation of the petitioner dated 24.10.2019 within a time frame as fixed by this Court.

For Petitioner	: Mr.J.Muneerkhan
For Respondents	: Mr.A.Muthukaruppan Additional Government Pleader (for R1 to R3) Mr.V.Anand Government Advocate (for R4)

O R D E R

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

Heard Mr.J.Muneerkhan, learned counsel for the petitioner,
<https://hcservices.ecourts.gov.in/hcservices/>



Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.V.Anand, learned Government Advocate appearing for the fourth respondent.

2. This writ petition has been filed styled as Public Interest Litigation alleging that there is an indiscriminate dumping of garbage and trash. Since the Block Development Officer did not respond to the notice, we directed his presence. Accordingly, Mr.Gnanamani, Block Development Officer is present in Court.

3.The learned counsel appearing for the fourth respondent has produced papers to show that the petitioner S.K.Palanisamy was a party to the Peace Committee Meeting convened by the Tahsildar, Manaparai Taluk and he has signed the proceedings and the present place was chosen, as it was unobjectionable site. This aspect has not been disclosed by the petitioner S.K.Palanisamy.

4.Therefore, we cannot entertain any writ petition at this juncture and accordingly, this Writ Petition is dismissed and we direct the petitioner S.K.Palanisamy shall pay a sum of Rs.10,000/- (Rupees Ten' Thousand only) as cost to the Vaiyampatti Panchayat Union and a sum of Rs.3,000/- (Rupees Three Thousand only) as cost to Mr.Gnanamani, Block Development Officer. The above exercise shall be complied with within one week from the date of receipt of a copy of this order. If the petitioner fails to pay the sum within the time permitted, we direct the Tahsildar, Manaparai Taluk to initiate revenue recovery proceedings and if necessary, attach properties and recover the amount.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

- 1.The District Collector,
Trichy District,Trichy.
 - 2.The Revenue Divisional Officer,
Srirangam Sub Division,
Vannankovil, Trichy District.
 - 3.The Tahsildar,
Manaparai Taluk,
Manaparai, Trichy District.
 - 4.The Block Development Officer,
Vaiyampatti Panchyat Union,
Vaiyampatti, Manaparai Taluk,Trichy District.
- +1CC TO Mr.J.Muneerkhan, Advocate, Sr.No.100259
+1cc to Spl.Govt.Pleader, sr.no.99989

Writ Petition (MD).No.23846 of 2019

19.11.2019

sma/13/12/19/2p/7c