

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.6908 of 2020

S.K.Radhakrishnan .. Petitioner

-vs-

- 1.The State of Tamilnadu,
Rep. by its Secretary,
Department of Environment and Forest,
Government of Tamilnadu,
Fort St. George, Chennai 600 009.
- 2.The Commissioner,
Department of Municipal Administration &
Water Supply, Government of Tamilnadu,
4th Floor, Ezhilagam (Annexe Building),
Chepauk, Chennai 600 005.
- 3.The Chairman,
Tamilnadu Pollution Control Board,
76, Mount Road, Guindy,
Chennai 600 032.
- 4.Engineer-in-chief (Water Resources
Organization) and Chief Engineer (General),
Public Works Department,
Chepauk, Chennai 600 005.
- 5.The District Collector,
State Highway 96,
Opposite to District Court,
Palayapalayam, Erode 638 011.
- 6.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Plot No.J-2 (W), SIPCOT Industrial
Development Centre,

Perunthurai 638 052.

7.The Municipal Commissioner,
Sathyamangalam Municipality,
Mysore Trunk Road, Rangasamudram,
Sathyamangalam - 638 402.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Prohibition to prohibit the respondents from changing the place of construction of Sewage Treatment Plant (STP) and Sewage Pumping Station (SPS) from RMP Nagar, Sathyamangalam to Survey No.107 of Rangasamudram, Sathyamangalam, Erode District.

For Petitioner : Mr.R.Ganesan

For Respondents : Mr.V.Jayaprakash Narayanan
State Government Pleader
for RR 1, 2, 4 and 5

: Mr.C.Kasirajan
for RR 3 and 6

: Mr.B.Anand
for M/s.A.S.Thambiswamy
for R-7

ORDER

(Made by The Hon'ble Chief Justice)

The prayer in the writ petition is to prohibit the respondents from changing the scheduled place of construction of a sewage treatment plant and sewage pumping station from RMP Nagar, Sathyamangalam to Survey No.107 of Rangasamudram, Sathyamangalam, Erode District.

2. On March 2, 2021, an order was passed restraining further construction of the sewage treatment plant at the site chosen as an alternative to RMP Nagar without the express leave of Court.

3. The State has now filed a counter-affidavit through the Joint Director (Election), Commissionerate of Municipal Administration, Chennai. At paragraph 9 of the affidavit affirmed by R.Poongudi Arumaikkan, it has been stated as follows:

"9. It is humbly submitted that the Committee inspected various places and recommended vacant site in R.S.No.107, Ward-E, Block No.2 in T.S.No.107/1,

belonging to this respondent situate near Bus Stand, Rangasamudram. The fifth respondent allotted acre 1.13 cents for establishing Sewage Treatment Plant and 30 cents for public use. The public protested that 30 cents is not sufficient for cremation purpose. The Revenue Divisional Officer held a meeting on 07.02.2020 and in the meeting, the public agreed for 40 cents for public use and the balance for establishing Sewage Treatment Plant. However, the said proposal was cancelled in view of the observation made by this Court dated 02.03.2021 and it was decided to construct STP at RMP Nagar site as per earlier decision as soon as funds are allotted."

Thus, it is evident that the respondent authorities have decided to construct the sewage treatment plant at RMP Nagar as per the earlier decision.

4. Accordingly, the writ petitioner's grievance no longer survives. It is hoped that the construction of sewage treatment plant at RMP Nagar is completed as expeditiously as possible.

W.P.No.6908 of 2020 is disposed of. There will be no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Govt. of Tamilnadu,
Department of Environment and Forest,
Government of Tamilnadu,
Fort St. George, Chennai 600 009.
- 2.The Commissioner,
Department of Municipal Administration &
Water Supply, Government of Tamilnadu,
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- 3.The Chairman,
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7.The Municipal Commissioner,
Sathyamangalam Municipality,
Mysore Trunk Road, Rangasamudram,
Sathyamangalam - 638 402.

+cc to M/S R. Ganesan Advocate SR.No.24169/21
+cc to Govt Pleader SR.No.24320/21

W.P.No.6908 of 2020

SMI (CO)
baf 03.05.2021



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