

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.20383 of 2020

Mohammed Abbas .. Petitioner

-vs-

1.The District Collector,
Office of the Collectorate,
Coimbatore,
Coimbatore District.

2.The Commissioner,
Corporation of Coimbatore,
Coimbatore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents not to put up any construction adjacent to the sewage storage lake situated in South Ukkadam, Coimbatore comes under Ward No.86 of Corporation of Coimbatore based on the petitioner's representation dated 11.12.2020.

For Petitioner सत्यमेव जयते : Mr.C.D.Sugumar

For Respondents : Mr.G.K.Muthukumar
Spl. Government Pleader
for respondent No.1

Mr.K.Natarajan
for respondent No.2

ORDER

(Order of the Court was made by SENTHILKUMAR RAMAMOORTHY, J.)

We heard learned counsel for the petitioner, Mr.C.D.Sugumar.

2. Mr.G.K.Muthukumar, learned Special Government Pleader, accepts notice on behalf of the first respondent and Mr.K.Natarajan, learned counsel takes notice for the second respondent, Commissioner, Corporation of Coimbatore.

3. The petitioner complains about the construction activity undertaken by the Corporation of Coimbatore in an area adjacent to a sewage storage lake situated in South Ukkadam, Coimbatore.

4. Learned counsel for the petitioner points out that the lake is situated in Ward No.86 and the sewage water, which is collected from various places, is let into the said lake and that is causing great hardship to the residents in the adjacent houses, including the petitioner.

4. In response, learned Special Government Pleader submits that Sewage Treatment Plants have been set up by the Corporation and that the construction complained of by the petitioner is a temporary construction to house the sanitary workers of the Corporation. Accordingly, he submits that no case is made out to warrant interference of this Court.

5. Upon consideration of these submissions, we find that the petitioner has failed to make out a case warranting interference by this Court, in light of the explanation provided by learned Special Government Pleader, which we find reasonable and acceptable.

On the above basis, the writ petition is dismissed. No costs. Consequently, W.M.P.No.25162 of 2020 is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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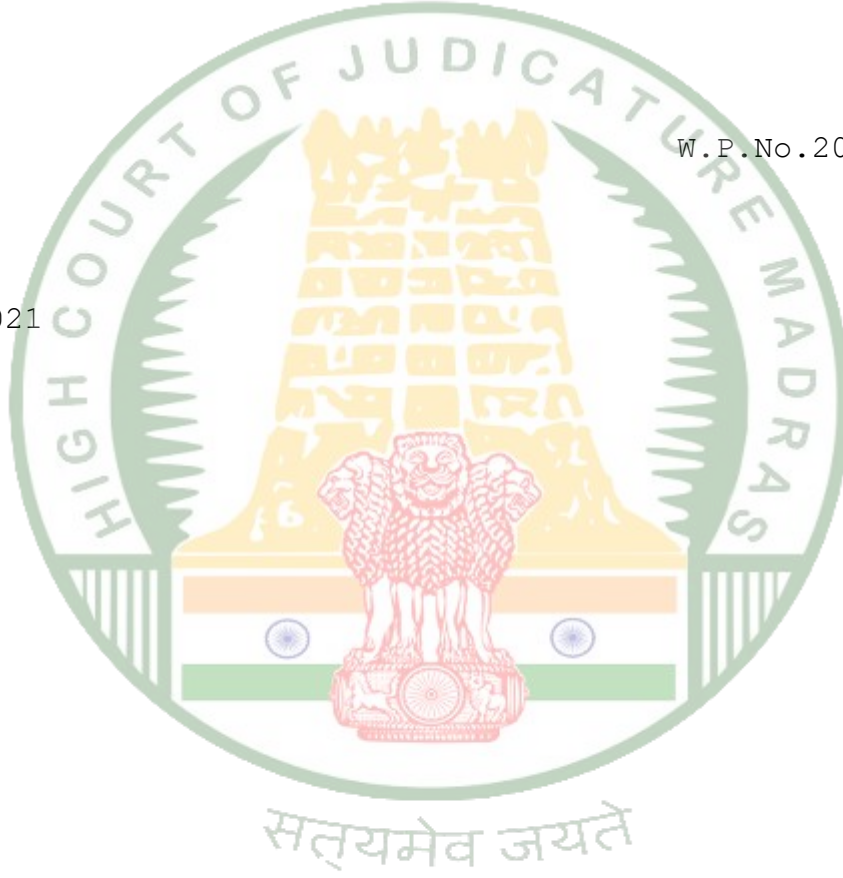
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+1 cc to Mr.K.Natarajan Advocate sr878

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