



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.16913 of 2021

R.Arumugasamy

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Vedasandur Taluk,
Vedasandur,
Dindigul District.

3.The Executive Officer,
Vedasandur Town Panchayat,
Vedasandur,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent herein to complete the construction of the drainage works in front of the petitioner's building situated in Door No.3A (Survey No.1266/2A), Ganapathi Nagar, Vedasandur-Ottanchathiram Main Road, Vedasandur Town, Dindigul District as expeditiously as possible and within the time stipulated by this Court by considering his representation, dated 02.09.2021.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.P.Subbaraj
Counsel for State (for R1 and R2)

Mr.A.Baskaran
Standing Counsel (for R3)

ORDER

The petitioner seeks a direction to the third respondent to complete the construction of drainage works in front of his building bearing Door No.3A (S.No.1266/2A), Ganapathi Nagar, Vedasandur-Ottanchathiram Main Road, Vedasandur Town, Dindigul District.

2.The petitioner states that there are about 100 houses and schools, parks, etc. in his locality. His building is visited on a day-to-day basis by several persons, including for shopping purposes. The petitioner states that the drainage channel in the



said area was required to be constructed or renovated. For such purpose, a contract was awarded by the third respondent to a private contractor in the year 2019. In course of undertaking such work, the petitioner alleges that the contractor concerned removed the existing drainage construction and dug up a big pit in front of the petitioner's house and shopping complex. In spite of calling upon the third respondent to remedy the situation, it is alleged that the third respondent has failed to do so till date. The present writ petition is filed in such facts and circumstances.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice for the respondents 1 and 2 and Mr.A.Baskaran, learned Standing Counsel, accepts notice for the third respondent. On instructions, Mr.A.Baskaran submits that the petitioner's representation would be considered and disposed of within a reasonable time frame.

4.The State and local authorities are under a statutory obligation to ensure that drainage work is completed in such manner as to ensure that the inhabitants of the relevant area are not put to inconvenience. For such purpose, if drainage works are commenced, such works are required to be completed within a reasonable time. The petitioner relies upon photographs to substantiate the contention that the drainage work in the vicinity of the building owned by him has not been duly completed. The third respondent is obviously under an obligation to look into the issue and take remedial measures, if appropriate.

5.Subject to the above observations, the third respondent is directed to consider the petitioner's representation dated 02.09.2021 and initiate appropriate action on such basis. In any event, a reasoned communication should be issued to the petitioner in response to the representation dated 02.09.2021 within a period of thirty (30) days from the date of receipt of a copy of this order.

6.W.P.(MD)No.16913 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

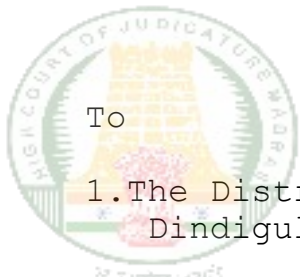
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/ /2021

Sub Assistant Registrar(CS)

sjj/sn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



To

1.The District Collector,
Dindigul District, Dindigul.

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Vedasandur,
Dindigul District.

3.The Executive Officer,
Vedasandur Town Panchayat,
Vedasandur,
Dindigul District.

+1 CC to M/s.SPL.GP (SR-29883,29847 [F] dated 22/09/2021)

+1 CC to M/s.J.LAWRANCE, Advocate (SR-29726[F] dated 21/09/2021)

**W.P (MD) No.16913 of 2021
21.09.2021**

RK (28.09.2021) 3P 6C