



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

CORAM :

WEB COPY

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9840 of 2021

1. G.Ramesh Mani
2. M.Vallinayagan
3. Tamizhselvan ..Petitioners

Vs

1. The District Collector
Villupuram District
Villupuram.
2. The Thasildhar
Villupuram.
3. The Assistant Engineer
Public Works Department
Irrigation Section
Valavanur, Villupuram Taluk.
4. The Block Development Officer
Koliyanur,
Villupuram Taluk. ..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to take immediate steps in accordance with law to stop forthwith letting out and flow of drainage and waste water in the irrigation channel passing through various Survey Nos.149/12, 148/1, 147/6, 169/2, 172/11, etc. situate at Naraiyur Village, Villupuram Taluk through the petitioners lands situate in Survey Nos.147/8A, 148/2, 147/5B, 169/1A4 etc. in the said village.



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For the Petitioners : Mr.N.Suresh
For the Respondents : Mrs.R.Anitha
Special Government Pleader
for respondents 1 to 4

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Pursuant to the direction of this court, the officer knowing about the mechanism adopted by the respondents for treatment of the sewage water is not present, but the Block Development Officer is present.

2.Learned counsel for the petitioners as well as learned Special Government Pleader appearing for the respondents have brought water in bottles. The water contained in the bottles brought by the petitioners shows the polluted water, while the bottles brought by the respondents show the water to be less polluted.

3.The fact that could be discerned from a glance at the bottles is that by putting pebbles, blue metal, etc., the sewage water cannot be treated, rather learned Special Government Pleader submitted that immediately a Sewage Treatment Plant (STP) would be installed to treat the sewage water.

4.In view of the aforesaid submission, the respondents are directed to strictly adhere to their decision to establish STP or any other plant, other than the mechanism adopted presently. The mechanism adopted presently may be effective under certain circumstances, but not for treating the sewage water, because by the mechanism adopted by the respondents by putting pebbles, blue metal, etc., the solid waste would remain on the upper portion leaving the untreated liquid to drain down to be discharged into the canal. The aforesaid mechanism cannot be said to be proper for treatment of the sewage water and can be applied in a given case, where the area is a purely rural area and not for semi-urban area of the nature involved herein. The effect of the mechanism adopted by the respondents is quite serious, as the untreated water is now drained into the canal, polluting the canal water. Thus, the respondents are directed to immediately install STP so that the canal water is not polluted unnecessarily.

5.The respondents are further directed to take action against those who are discharging all waste water directly into the canal, either from their houses or the area occupied by them. The area would be monitored immediately and if anyone is found discharging the waste water directly into the canal,



he/she would be subjected to the consequences, which may include the imposition of penalty or any other action under the Water (Prevention and Control of Pollution) Act, 1974.

With the aforesaid directions, the writ petition is allowed.
No costs. Consequently, W.M.P.No.10472 of 2021 is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector
Villupuram District
Villupuram.
2. The Thasildhar
Villupuram.
3. The Assistant Engineer
Public Works Department
Irrigation Section
Valavanur, Villupuram Taluk.
4. The Block Development Officer
Koliyanur, Villupuram Taluk.

+1cc to Mr.N.Suresh, Advocate, S.R.No.13847

W.P.No.9840 of 2021

NMI (CO)
RGA (07/03/2022)