



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-01-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.25639 of 2014

S.Saravanan

.. Petitioner

vs.

1.The District Collector,
Salem District,
Salem.

2.The Executive Officer,
Town Panchayat,
Dhammampatti,
Attur Taluk,
Salem District.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 03.09.2014.

For Petitioner : Ms.Sengodi for
Mr.R.Sankarasubbu.

For Respondent-1: Mr.M.Rajendiran,
Additional Government Pleader.

For Respondent-2: Mr.K.Arun Babu

O R D E R

The relief sought for in the present writ petition is to direct the respondents to consider the representation submitted by the petitioner on 03.09.2014.

2. The representation submitted by the petitioner reveals that the subject area falls under the jurisdiction of the Revenue and Public Works Departments. Without the permission of the Revenue and Public Works Departments and without getting any proper approval, the President, Dhammampatti Panchayat has passed a Resolution and was constructing Toilets on the South side of the River Bank. In the event of constructing the



Toilets, the waste will be mixed along with the river water and there is a likelihood of causing pollution and the river water will get contaminated.

3. The petitioner made a personal representation to the Assistant Executive Engineer, Public Works Department, WRO on 24.07.2014 and no action has been taken against the said representation. Thus, the petitioner is constrained to move the present writ petition.

4. The allegations raised by the petitioner in his representation are undoubtedly serious in nature. Toilets cannot be constructed on the River Bed and undoubtedly the same would cause pollution and result in contamination of river water which is being used for drinking purposes. Thus, the Authorities Competent are bound to initiate appropriate action.

5. This apart, the petitioner states that Toilets are being constructed without getting proper permission from the Competent Authorities of the Revenue Department as well as the Public Works Department and representations made in this regard are not even looked into.

6. This being the factum, the respondents are directed to look into the complaints submitted by the petitioner on 03.09.2014 and initiate all appropriate actions to protect the river water and prevent all illegal constructions of Toilets or otherwise on the River Bed or in the Government lands. The said exercise is directed to be done by the respondents, within a period of eight weeks from the date of receipt of a copy of this order. In the event of identifying any illegalities, illegal constructions or encroachments, all such illegalities are to be removed, including the encroachments on the River Bed is to be protected in the interest of public.

7. With the abovesaid directions, the writ petition stands allowed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

Svn



To

1.The District Collector,
Salem District,
Salem.

2.The Executive Officer,
Town Panchayat,
Dhammampatti,
Attur Taluk,
Salem District.

WP 25639 of 2014

PMK (CO)
GMY (10/02/2022)