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W.P.No.27686 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.27686 of 2021

M.Gopinath

... Petitioner

Vs.

1.The District Collector
Thiruvannamalai District
Collectorate Office
Vengikkal
Tiruvannamalai-606604

2.The Block Development Officer
(Village Panchayat)
Arni
Thiruvannamalai District

3.The President
Sirumoor Panchayat
Arni Taluk
Thiruvannamalai District

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to stop the flow of sewage from the open drainage system of Sirumoor village into the irrigation water channel forming boundary on the southern side of the petitioner's land in Patta No.6478 in Survey Nos.271/1,271/2, 271/3 of Sirumoor village, Arni Taluk, Thiruvannamalai District or at any other part



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of the irrigation water channel.

For Petitioner : Mr.T.V.Badrinarayanan

For Respondents : Mr.N.Naveen Kumar, G.A for R1

Mrs.E.Ranganayaki for R2 and 3

ORDER

Writ petition is filed seeking a direction to the respondents to stop the flow of sewage from the open drainage system of Sirumoor Village into the irrigation water channel forming boundary on the southern side of the petitioner's land in Patta No.6478 in Survey Nos.271/1,271/2, 271/3 of Sirumoor Village, Arni Taluk, Thiruvannamalai District or at any other part of the irrigation water channel.

2. The case of the petitioner is that he is the owner of 2.83 cents of agricultural lands in S.,Nos.271/1,271/2 and 271/3 of Sirumoor Village, Arni Taluk. The petitioner has been cultivating in the said land. On the souther side of the land there is an irrigation channel with 2 feet width and 2 kms in length which has been existing from the time immemorial. The said irrigation channel is connected at its mouth to a natural water body on its Eastern side which is nearly 1 k.m away from the lands of the petitioner.

3. When the matter stood thus, the Panchayat administration of



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Sirumoor Village has put in place an open drainage system in the Sirumoor Village consisting of nearly 300 families on the southern side of the agricultural land of the petitioner. Due to which sewage started inundating in his agricultural land. On enquiry and inspection in the last week of August 2021, the petitioner came to know that sewage is released from the house of the Sirumoor village has been drained into the irrigation water channel near the petitioner's agricultural land. According to him, due to such discharge of sewage to the water channel the entire sewage is inundating to agricultural land. Hence, the Writ Petition is filed.

4. Learned Government Advocate appearing for the 1st respondent produced the report of the Block Development Officer and submitted that they inspected the property and sanctioned as sum of Rs.3,08,767/- to put up a vertical soak pit to prevent the sewage and also commenced the work. However, due to some price escalation they need more than three lakhs. When the above amount is sanctioned, they will complete the work. To substantiate the same they also produced the photograph to show that the work has been commenced. As the Panchayat has sanctioned some funds and work is in progress, there shall be a direction to the respondents to



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complete the work after sanctioning the remaining amount within a period of three months.

With the above directions, the Writ Petition is disposed of. No costs.

05.12.2022

kpr

To

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Collectorate Office
Vengikkal
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N. SATHISH KUMAR, J.

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