



WEB COPY

W.P.(MD)No.10013 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.10013 of 2022

and

W.M.P (MD) Nos.7133 & 7134 of 2022

Sankar

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Block Development Officer,
Thiruppuvanam Union Office (Village Panchayaths)
Thiruppuvanam,
Sivagangai District.

3. The Panchayath President,
Madappuram Panchayath,
Madappuram,
Thiruppuvanam Taluk,
Sivagangai District.

4. Bothaguru

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take swift action to close the sewage tank constructed by the fourth respondent in Plot No.18 in survey No.10/2B, of Vaigai Vadagarai Village, Madappuram Panchayat, Thiruppuvanam Taluk, Sivagangai District as unlawful, hazardous and not in consonance with Tamil Nadu Public Health Act, 1936 and G.O.(Ms) No.106 Municipal Administration and Water Supplies (MA.3) Department dated 01.09.2014 based on the petitioner's representation dated 03.03.2022.

For Petitioner

: Mr.P.Arumugam

For R1

: Mr.A.Kannan

Additional Government Pleader

For R2 & R3

: Mr.J.K.Jayaseelan

Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to take action against the
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fourth respondent for the construction of the sewage tank by him, which according to the petitioner is hazardous.

2. The petitioner has given a representation dated 03.03.2022 to the Official respondents. No prejudice would be caused to the respondents, if the petitioner's representation dated 03.03.2022 is considered after affording a fair hearing to the petitioner and the fourth respondent.

3. For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation dated 03.03.2022 requesting the official respondents to take action against the fourth respondent for the construction of the sewage tank in his property which according to the petitioner is hazardous, within a period of 12 weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and the fourth respondent including granting them the right of personal hearing.

4. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Vacation Officer/
Assistant Registrar (CS-III)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

rm

To

1. The District Collector,
Sivagangai District, Sivagangai.

2. The Block Development Officer,
Thiruppuvanam Union Office (Village Panchayaths)
Thiruppuvanam, Sivagangai District.

3. The Panchayath President,
Madappuram Panchayath,
Madappuram, Thiruppuvanam Taluk,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-24062[F] dated 23/05/2022)

W.P. (MD)No.10013 of 2022
20.05.2022

SJ(CO)GC(02.06.2022) 2P 5C

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