



W.P(MD).No.1017 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1017 of 2015

and

M.P(MD) No.1 of 2015

Gomathipuram Thendral Nagar
Residents Association,
Represented by its President,
N.Ramasubbu,
S/o. Nagasamy,
No.2/433, Parijatham Street,
Gomathipuram,
Madurai – 625 020.

... Petitioner

-VS-

1. The Commissioner,
Madurai Corporation,
Madurai.
2. The District Collector,
Madurai District,
Madurai.
3. The Chief Engineer,
Public Works Department,
Madurai.
4. The Executive Engineer,
PWD Vandiyur Tank Division,
Melur, Madurai District.



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5. Ambigai Nagar Kudiyirupor Nala Sangam,
Represented by its Secretary,
M.N.Siddarthan,
S/o.M.Natarajan
Plot No.24, Ambigai Nagar,
2nd Street,
Gomathipuram 6th Main Road,
Madurai – 620 020.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the proceedings of the impugned Notice dated 24.12.2014 and served on 22.01.2015 on the file of the first respondent and quash the same.

For Petitioner	: Mr.S.Selva Aditya for Mr.G.Prabhu Rajadurai
For R-1	: Mr.R.Murali Standing Counsel
For R-2 to R-4	: Mr.A.Baskaran Additional Government Pleader
For R-5	: Mr.T.Lajapathiroy

ORDER

The present Writ Petition has been filed challenging the notice issued by the first respondent herein, under which, they have directed the residents



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of Gomathipuram Thendral Nagar not to let in any drainage water into the Melamadai Gomathipuram surplus channel, in view of the order passed by the Hon'ble Division Bench of this Court in W.P.(MD)No.14037 of 2011.

2. On instructions, the learned Standing Counsel appearing for the first respondent submits that the said notice was issued on the ground that the residents of the above said Nagar have constructed their own pipes to drain the sewage water into the Vaigai River. However, the Corporation in the Smart City Scheme has initiated works for construction of underground drainage channel and the same is in progress.

3. In such view of the matter, any insistence of the first respondent on the residents to construct Septic Tank would be a huge expense for the residents. In case, if there is any delay in implementing the underground drainage project, the first respondent is at liberty to issue fresh notice directing the residents to construct the septic tank. The period of three months fixed in the impugned notice has already expired and the Corporation is continuing with the construction of the underground drainage work under the Smart City Scheme.



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4. Considering the above said facts, the time already granted stands extended till the completion of the underground drainage work undertaken by the first respondent Corporation.

5. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No
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To

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