



WEB COPY



W.P.No.16585 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16585 of 2016

1. S.Somasekaran
2. K.A.Sengodaiyan

... Petitioners

Versus

1. The District Collector
Erode District, Erode.

2. The Revenue Divisional Officer,
Erode, RDO Office, Erode-1.

3. The Block Development Officer,
Madakurichi Taluk, Erode.

4. The Tahsildar,
Erode-1.

5. The President,
Nanjai Uthukuly Panchayat,
Modakuruchi Taluk,
Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to take all such steps as are necessary to prevent any sullage water from entering the agricultural lands of the petitioner at Old S.No.460 and New Survey No.647/1



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in Uthukuly Village, Modakuruchi Taluk, Erode District in accordance with the written undertaking of the 5th respondent dated 23.07.2015.

For Petitioner : Ms.M.Abbirami
For M/s.Suhrith Parthasarathy

For Respondents : Mr.Karthik Jeyanath, GA RR1,2 & 4
No appearance for RR3 & 5

ORDER

The writ petition has been filed seeking a direction to the respondents to take all necessary steps to prevent any sullage water from entering the agricultural lands of the petitioner at Old S.No.460 and New Survey No.647/1 in Uthukuly Village, Modakuruchi Taluk, Erode District in accordance with the written undertaking of the 5th respondent dated 23.07.2015.

2. It is the grievance of the petitioner that the petitioner is owned a land in Old S.No.460 and New Survey No.647/1 in Uthukuly Village, Modakuruchi Taluk, Erode District and the above said agricultural land is getting irrigation from the Perumpallam Ayakattu Irrigation Scheme. The private land owners adjacent to the said irrigation channel encroached the land by putting up construction. Because of the same, the sullage water from the nearby colony and the factory has stagnated in the petitioner's land. The petitioner has made



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several representations to the respondents to prevent the stagnation of sullage water to the petitioner's agricultural land.

3. The learned Government Advocate submitted that the 5th respondent has decided to construct a drainage system and in this regard, in the Panchayat, a resolution will be passed on 07.02.2023. After this, they will allot necessary funds for the construction of the drainage system and on the basis of the estimate, the entire issue would be sorted out within a period of three months.

4. In such view of the matter, the respondents are directed to take effective steps to construct the drainage system to prevent the stagnation of water in agricultural lands within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs.

31.01.2023

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Index : Yes/No



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N. SATHISH KUMAR, J.

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