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W.P.No.25518 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.08.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25518 of 2023

K.P.Arun Kumar

...Petitioner

Vs.

- 1.The Director of Rural Development and Panchayat Raj
Panagal Building,
Saidapet,
Chennai-600 015.
- 2.The District Collector,
Chengalpattu Post,
Chengalpattu District.
- 3.The Assistant Director of Panchayat,
Chengalpattu Post,
Chengalpattu
Chengalpattu District.
- 4.The Block Development Officer (Village Panchayat),
St.thomas Mount Panchayat Union,
Chitlapakkam Post,
Tambaram Taluk,
Chengalpattu District.



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5.The President

Village Panchayat Office,
Medavakkam Post,
Tambaram Taluk,
Chengalpattu District-600 100

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 2 to 5 to take appropriate action to stop flowing of sewage water both by pipe and drain in the petitioner's vacant Plot No.3B and adjacent vacant Plot No.3D and the vacant land behind the petitioner's apartment, situated at Ward No.9, Golden Avenue, Sivakami Nagar, Medavakkam Village, Tambaram Taluk, Chengalapattu District and to channelize the flow of sewage water through the respective streets by pipe or by drain for appropriate disposal, by considering the petitioner's representation dated 24.07.2023.

For Petitioner	: Mr.I.Calvin Jones
For Respondents 1 to 3	: Mr.C.Selvaraj, Additional Government Pleader
For respondents 4 & 5	: Mr.B.Tamilnidhi Additional Government Pleader

ORDER

The petitioner herein seeks direction to respondents 2 to 5 to take appropriate action to stop flowing of sewage water over the vacant plot of the



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petitioner in Plot No.3B and 3D, situated at Ward No.9, Golden Avenue, Sivakami Nagar, Medavakkam Village, Tambaram Taluk, Chengalapattu District Tambaram, Chengalpet District.

2. It is the case of the petitioner that he is owing a house in the above mentioned locality and he is having a vacant site adjacent to his house in Plot No.3B and 3D. It is the specific case of the petitioner that 5th respondent is letting sewage water in his vacant site and as a consequence, the petitioner and persons residing in the adjacent places are facing health problems. The nuisance and health hazards caused by the sewage water collected in the vacant site of the petitioner was brought to the notice of the 5th respondent by the representation of the petitioner dated 24.07.2023. The same has not been considered by the 5th respondent till date.

3. Mr.C.Selvaraj, learned Additional Government Pleader takes notice for respondents 1 to 3. Mr.B.Tamilnidhi, learned Additional Government Pleader takes notice for the 4th and 5th respondent.



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4. In view of the complaint made by the petitioner regarding the collection of sewage water in the housing sites belonging to him, this Court is inclined to issue a direction to the 5th respondent to consider the representation of the petitioner dated 27.07.2023 and pass final orders on merits and in accordance with the law, within a period of 4 weeks from the date of receipt of copy of this order after issuing notice to the petitioner and other affected parties.

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

30.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr/shl



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S.SOUNTHAR, J.

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