



WEB COPY



W.P.No.26674 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.26674 of 2023

S.Vaideki

... Petitioner

VS.

1.The Commissioner,
Greater Chennai Corporation
EVR Salai, Rippon Building – 600 083

2.The Executive Engineer,
Greater Chennai Corporation
Zonal Office XI
33, Arcot Road,
Valsaravakkam,
Chennai – 600 087

3.The Assistant Engineer,
The Chennai Metropolitan Water Supply and Sewage Board
33, Arcot Road, Valasaravakkam,
Chennai – 600 087

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action on her complaint dated 28.08.2023 and within the time stipulated by this Court.



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For Petitioner : Ms.P.Soniya

For R1 and R2 : Mr.A.S.Ragul Adhithya
for Mrs.P.T.Ramadevi
Standing Counsel for GCC

For R3 : Mrs.K.Vasanthamala
Standing Counsel

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to take action on her complaint dated 28.08.2023 within a time stipulated by this Court.

2. Mr.A.S.Ragul Adhithya, learned counsel representing Mrs.P.T.Ramadevi, learned Standing Counsel for GCC takes notice for the respondents 1 and 2 and Mrs.K.Vasanthamala, learned Standing Counsel takes notice for the 3rd respondent.

3. It is the case of the petitioner that Well available in her house, which is used for drinking purpose, is contaminated due to the sewage water



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and in this regard, she had given a complaint dated 28.08.2023 to the respondents and the same has not been considered till date.

4. Mrs.K.Vasanthamala, learned Standing Counsel appearing for the 3rd respondent, on instructions submits that on receipt of complaint from the petitioner, the officials of the 3rd respondent visited the house of the petitioner on 31.08.2023 and found the contamination alleged by the petitioner is not due to mixing of sewage water.

5. When the stand taken by the 3rd respondent is reported to the Court, the learned counsel appearing for the petitioner submitted that there is a beverage factory near the petitioner's house and the same could have been the reason for contamination of the Well water. In the complaint given by the petitioner, there is no mention about the existence of polluting industry near the petitioner's house. In such circumstances, no direction can be issued to the respondents to consider the complaint of the petitioner in the light of the specific stand taken by the 3rd respondent.



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6. However, if the petitioner has material to substantiate that contamination of Well water is due to polluting industry available near her house, it is for her to make appropriate representation before the Tamil Nadu Pollution Control Board for redressal of her grievance.

7. Accordingly, the writ petition is dismissed. No costs.

12.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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S.SOUNTHAR, J.

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