



WEB COPY



W.P.(MD) No.9582 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.9582 of 2023
and
W.M.P.(MD) No.8531 of 2023**

K.Kalyanasundaram

... Petitioner

-VS-

1.The Commissioner
Tuticorin Corporation
Tuticorin

2.The Assistant Commissioner
West Zone, Tuticorin Corporation
Tuticorin

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to remove the construction made in T.S.No.3459/2, Ward No.4, Block No.21A, V.V.D.Road, West Zone, Tuticorin City.

For Petitioner : Mr.S.Kumar

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.N.Anandakumar



W.P.(MD) No.9582 of 2023

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The apprehension of the petitioner is that if the offending construction is allowed, the same would affect the quality of the water in the Well, which is situated within his property.

2. Mr.Veera Kathiravan, learned Additional Advocate General, appearing for the respondents by producing a photograph, would make a statement that the proposed public toilet, which is under construction, is to be connected to the underground drainage, which is available in the area and therefore, the apprehension of the petitioner has no basis.

3. In view of the above submission and the fact that the public toilet is constructed in the road margin of a very wide road, we do not think that the petitioner has a cause to complain. Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

24.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk



WEB COPY



W.P.(MD) No.9582 of 2023

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

krk

W.P.(MD) No.9582 of 2023

24.04.2023