



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.11262 of 2023

V.Palsamy

... Petitioner

vs.

1.The District Collector, Madurai District.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer, Usilampatti,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk, Madurai District.

4.The Commissioner of Municipality,
O/o.Commissioner of Municipality,
Usilampatti, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to provide drainage facility to the petitioner house property comprised in Old S.No.194/2, New S.No.194/2A situated at Ward No.1 (Behind Lakshmi Mahal), Annaparapatti, Usilampatti, Usilampatti Taluk, Madurai District on the basis of the representation, dated 15.03.2023 within a stipulated time period in accordance with law.



WEB COPY



For Petitioner :Mr.C.Senthil Murugan
For R1 to R3 :Mr.J.Ashok
Additional Government Pleader
For R4 :Mr.Austin

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the respondents to provide drainage facility to the property of the petitioner at Old S.No.194/2, New S.No.194/2A, situated at Ward No.1, behind Lakshmi Mahal, Annaparapatti, Usilampatti, Madurai, on the basis of the representation, dated 15.03.2023.

2.Heard Mr.C.Senthil Murugan, learned Counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader for the respondents 1 to 3 and Mr.Austin, learned Counsel for the fourth respondent.

3.In the affidavit filed in support of this Writ Petition, it had been stated that the petitioner is residing in the aforementioned land having purchased the land and having constructed a house after getting approval from the fourth respondent. He also stated that he is paying taxes to the



WEB COPY

fourth respondent. He now requires a drainage pipeline to be given to him. He had earlier constructed a septic tank. He had also put up a pipeline under the earth for drainage facility and joined it with the main drainage channel. It had been stated that the pipeline got frequently damaged. The petitioner had given a representation on 15.03.2023 to regularise the draining connection.

4.A duty is also cast on the petitioner to abide by rules and regulations. He must also be a dutiful citizen by ensuring that he does not lead the other residents to agitation for the issue of providing draining facilities.

5.But at any rate, a direction is given to the fourth respondent to make a spot visit to the local area where the petitioner is residing, examine the drainage facility and regularise the drainage facility in a proper manner. This is for the benefit of all the residents, since if the drainage water flows back into the street, it will only contaminate the entire area and cause pollution. To avoid that, necessary steps may be taken by the fourth respondent. The fourth respondent may endeavour to



complete this exercise within a period of eight weeks from the date of receipt of a copy of this order.

6.The Writ Petition stands disposed of. No costs.

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

09.06.2023

cmr

To

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional officer, Usilampatti,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk, Madurai District.



WEB COPY



C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.11262 of 2023

09.06.2023