



W.P.(MD)No.18789 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.01.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.18789 of 2014

and

M.P.(MD).No.1 of 2014

M.K.Raman

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Commissioner,
Madurai Corporation,
Madurai.
- 3.The Assistant Commissioner,
Madurai Corporation,
Madurai District.
- 4.The Junior Engineer,
Ward No.28,
Madruai Corporation,
Madurai District.
- 5.The District Pollution Control Board,
Rep by its district Environment Engineer,
SIDCO,



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Kappalur, Madurai District 8.

6.The Executive Engineer,
Public Works Department,
Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondents No.2 to 4 in any way constructing public toilet inside the Poolavadi Kanmai in survey No.129/1 at Pandikoil Street, Uthangudi Village, Madurai District which is situated in front of petitioner's house at Door No.20/1, Pandikovil Street, Uthangudi, Madurai and further directing the respondents to renovation of Poolavadi Kanmai in Survey No.129/1 at Uthangudi Village, Madurai District and maintain the same in good condition.

For Petitioner :Mr.S.J.Chakkaravarthy

For Respondents :Mr.V.Om.Prakash
Government Advocate for R1
:Mr.S.Vinayak
Standing Counsel for R2 to R4
:Ms.Vijayakumari Natarajan for R5
:No appearance for R6



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ORDER

This writ petition is filed to forbear the respondents 2 to 4 in any way constructing public toilet inside the Poolavadi Kanmai in Survey No. 129/1 at Pandikoil Street, Uthangudi Village, Madurai District, which is situated in front of petitioner's house at Door No.20/1, Pandikovil Street, Uthangudi, Madurai and further direct the respondents for renovation of Poolavadi Kanmai in Survey No.129/1 at Uthangudi Village, Madurai District and maintain the same in good condition.

2.Mr.S.Vinayak, learned Standing Counsel appearing for the respondents 2 to 4 would submit that in view of the pendency of the writ petition, they have not proceeded to construct any toilet.

3. Be that as it may, the water bodies are to be maintained only as water bodies and it cannot be used for any other purposes. Therefore, there shall be a direction to the respondents not to put up any constructions in Poolavadi Kanmai in Survey No.129/1, Pandikovil Street, at Uthangudi Village, Madurai District



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4.With the above directions, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

27.01.2023

Index : Yes / No
Speaking Order/Non Speaking Order
sbn

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