



W.P(MD)No.28184 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28184 of 2022

Palaniappa Pasana Paribalana Sabai,
3/1/5B, Balasubramaniyan Street,
Palanichettipati, Theni District,
Rep. by its Secretary,
T.Thinakaran.

... Petitioner

Vs.

- 1.The District Collector,
Theni District.
- 2.The District Manager,
Pollution Control Board,
Theni District.
- 3.The Assistant Director,
Regional Town Panchayat Office,
Theni.
- 4.The Tahsildar,
Theni Taluk,
Theni District.
- 5.The Executive Officer,
Palanichettipatti Town Panchayat,
Palanichettipatti,
Theni District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 1 to 4 herein from in any manner allowing the 5th respondent from letting out the drainage into the irrigation channel of Raja Voikkal in Survey No.1456, Veerapandi Village, Theni District belonging to the petitioner Sabai and consequently direct the 5th respondent to make proper provision to maintain the drainage system without polluting the Rajavoikkal with drainage water affecting the avocation of agriculture.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader for R1 to R4.
Mr.N.Muthu Vijayan,
Spl. Government Pleader for R5.

ORDER

Heard the learned counsel on either side.

2.The only request made by the petitioner is that in the petition mentioned irrigation channel, drainage water should not be let in. He only wants the petition mentioned channel to be maintained properly without any pollution.



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3.The writ petitioner's request has been considered by the fifth respondent. A communication has been issued on 12.12.2022 stating that the channel has since been cleaned and that health workers are deployed to maintain it free of any pollution.

4.Recording the stand of the fifth respondent, the writ petition is allowed.

No costs.

05.01.2023

Index : Yes / No

Internet : Yes/ No

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To:

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Theni District.

2.The District Manager,
Pollution Control Board,
Theni District.

3.The Assistant Director,
Regional Town Panchayat Office,
Theni.

4.The Tahsildar, Theni Taluk, Theni District.

5.The Executive Officer,
Palanichettipatti Town Panchayat,
Palanichettipatti, Theni District.



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G.R.SWAMINATHAN, J.

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