



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

**WP(MD) No.28627 of 2023
and
WMP(MD)No.24698 of 2023**

R.Udhayakumar

... Petitioner

vs.

1.The Commissioner,
Rameshwaram Municipality,
Rameswaram,
Ramanathapuram District.

2.The Assistant Executive Engineer,
Tamil Nadu Water Supply and
Drainage Board,
District Water Testing Laboratory,
Naganathapuram, Opp.to VAO office,
Omsakthi Nagar, Ramanathapuram – 623 504.

3.Yogarajan

4.M.Stalin

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the first respondent to remove the septic tanks constructed in Nambukumaran Mahal situated at No.28, North Car Street, Rameswaram within a time frame fixed by this Court.



For Petitioner : Mr.J.Anandhavalli

For Respondents: Mr.K.Kannan for R1

Mr.B.Vijay Karthikeyan for R2

Mr.N.Thamimul Ansari for R3

No appearance for R4

ORDER

Heard both sides.

2.The petitioner seeks removal of septic tank put up by the third respondent. The petitioner is invoking the provisions of the Tamil Nadu Public Health Act, 1939. The learned counsel for the petitioner also placed reliance on the decision reported in **2010-4-L.W 919 (S.Kamatchi vs. G.Saraswathy)**. The first respondent is directed enquire into the petitioner's complaint and after hearing the third and fourth respondents pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order.



3.This writ petition is disposed of accordingly. No costs.

WEB CONNECTED miscellaneous petition is closed.

22.12.2023

Index : Yes / No
Internet : Yes/ No
skm

To

- 1.The Commissioner,
Rameshwaram Municipality,
Rameswaram,
Ramanathapuram District.
- 2.The Assistant Executive Engineer,
Tamil Nadu Water Supply and
Drainage Board,
District Water Testing Laboratory,
Naganathapuram, Opp.to VAO office,
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G.R.SWAMINATHAN, J.

SKM

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