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W.P.No.10539 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.10539 of 2024

E.Paranjothi

.. Petitioner

Versus

The Commissioner
Gobichettipalayam Municipal Corporation
Gobichettipalayam Municipality Office
Erode.

..Respondent

Prayer: This Writ petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent (Gobichettipalayam Municipal Corporation) to consider and take action against the petitioner's representation dated 26.03.2024 and to remove the illegal obstruction put in the sewage drain and to ensure proper drainage and restore the sewer drain to its original state, within a time frame to be fixed by this Court.

For Petitioner

: Mr.G.K.Muthukumaran

For Respondents

: Mr.B.Anand
Standing Counsel



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ORDER

This Writ Petition has been filed seeking a Writ of Mandamus directing the Respondent (Gobichettipalayam Municipal Corporation) to consider and take action against the petitioner's representation dated 26.03.2024 and to remove the illegal obstruction put in the sewage drain and to ensure proper drainage and restore the sewer drain to its original state, within a time frame.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The facts of the case is that the petitioner is the absolute owner of the property measuring about 4924.3/4 sq feet in T.S.No.27/1A1 and 27/1A3 (subsequently sub-divided as T.S.No.1A3A) of Ward-A, Block-14 of Gobichettipalayam Town. The grievance of the petitioner is that one person by name Mr.Balasubramanian had purchased a site near to the petitioner's property and has constructed concrete drains in the said layout and the said concrete drains starts from souther boundary wall of



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petitioner house, due to which the waste water in the petitioner's house cannot be discharged. Hence, the petitioner has given a representation to the respondent on 26.03.2024 but the same was not considered. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 26.03.2024 and pass orders. Hence this petition.

5. The learned Special Government Pleader appearing for the respondent submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the respondent to conduct an enquiry in the subject area and consider the petitioner's representation dated 26.03.2024 and pass orders on merits and in accordance with law, after affording



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reasonable opportunity of hearing to the petitioner as well as the concerned parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

22.04.2024

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
smn

To
The Commissioner
Gobichettipalayam Municipal Corporation
Gobichettipalayam Municipality Office
Erode.



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V.BHAVANI SUBBAROYAN, J.

smn

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