



W.P.No.30032 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.30032 of 2019

and

W.M.P.No.29951 of 2019

R.Chakrapani

.... Petitioner

Vs

1.The District Collector,
Kancheepuram District.

2.The Revenue Divisional Officer,
Chingleput.

3.Block Development Officer,
Thirukazhukundram,
Kancheepuram District.

4.The Divisional Engineer,
Construction and Maintenance
Highways Department,
Kancheepuram-Chingleput Road,
J.C.K.Nagar, Chingleput – 603 002.
Kancheepuram Dt.

5.The Assistant Engineer,
Construction and Maintenance
Highways Department,
Thirukazhukundram.



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6.Sub Inspector of Police,
E2 Police Station,
Thirukazhukundram,
Kancheepuram Dt.

7. C.Sekaran

.... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1, 3 to 5 to take immediate action against the seventh respondent for having illegally laid the pipe line through the State Highway Mamallapuram Road, and remove the pipe line running from the residential cum commercial complex of the seventh respondent at the southern side of the Mamallapuram Road, underneath the Mamallapuram Road State Highways and from stagnating the drainage water near the residence of the petitioner at the Northern side of the Mamallapuram Road.

For Petitioner	: Mr.S.Sadasharam
For R1 to R5	: Mr.V.Manoharan Additional Government Pleader
For R6	: Mr.A.Gopinath Government Advocate (Crl.Side)
For R7	: Mr.Balan Haridas

ORDER

This Writ Petition has been filed for a direction, directing the respondents 1, 3 to 5 to take appropriate action as against the 7th respondent for having illegally laid the pipe line through the State Highway Mamallapuram Road and stagnating the drainage water in front of the petitioner's property.



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2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner owned a house bearing Door No.3/195, Kothimangalam Village, Thirukazhukundram, Mamallapuram Road, Kancheepuram District. He constructed a residential house and residing there with his family members. While being so, the seventh respondent purchased a land just opposite to the petitioner's house and he constructed a house complex consisting six residential portions. While being so, the seventh respondent, in order to let out the drainage water, laid pipe line crossing the State Highway Mamallapuram Road and let out the drainage water in front of the petitioner's house and it would cause health hazard.

4. The learned counsel appearing for the seventh respondent submitted that only after due permission from the authority concerned, he laid a PVC pipe from his premises to the canal in the opposite side of the premises. Through the said pipe line, the water from kitchen and bathroom cannot be let out. In fact, the petitioner's house has also letting out the waste water to the same canal.



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5. A perusal of the status report submitted by the fifth respondent reveals that the disputed pipe line running under the highways road and the local authority has to take necessary further action to control the sewage water joined into the storm water drain. On permission, the seventh respondent laid pipeline and let out the water in the canal. The petitioner is also let out in the same canal.

6. Therefore, the fourth and fifth respondents are directed to take appropriate action to control the sewage water which is now stagnated in the water canal, in order to prevent the health hazard, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

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Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
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