



WP No.32895 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Srinivasan

: Petitioner

versus

- 1.The District Collector,
Villupuram District
- 2.The Block Development Officer,
Melmalaiyanur Panchayat Union
Melmalaiyanur, Villupuram District
- 3.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai, Guindy, Chennai 32
- 4.The Tahsildar,
Melmalaiyanur, Villupuram District
- 5.The Executive Engineer,
Highways Department, Gingee
Villupuram District
- 6.Shanthi
- 7.Sakthivel

: Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 and 5 not to accord any sanction in respect of their jurisdiction of the lands vested with them unless the proper water treatment of the canal water done and prevention of polluting the water from the well and Sivanthangal Lake situate at Devanur Village Villupuram District.

For the Petitioner : Mr.R.Karunakaran
For Respondents 1, 2, 4, 5: Mr.P.Muthukumar,
State Government Pleader
For Respondent No.3 : Mr.V.Gunasekar

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Karunakaran, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, appearing for respondents 1, 2, 4 and 5, and Mr.V.Gunasekar, learned counsel appearing for the third respondent.

2. The learned counsel for the petitioner submits that without obtaining proper sanction, channel for drainage is dug by respondents



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6 and 7 in a haphazard manner. The Pollution Control Board has also replied to the complaint of the petitioner that respondents 6 and 7 are carrying on the said work without obtaining approval.

3. A counter-affidavit is filed by the second respondent. The affidavit states that as per the Central Government schemes and guidelines such as Swach Bharat Mission, drainage facilities have been constructed in the villages. The affidavit assures that no flora and fauna or agricultural lands are affected or polluted. The affidavit further states that no proposal is under consideration for digging of canal. The affidavit states that a vertical soak-pit is proposed to be constructed under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 in the near future to treat the sewage water.

4. The learned Government Pleader, on instructions, states that within two to three months, the said vertical soak-pit would be constructed.

5. The facts narrated in the affidavit filed by the second respondent may redress the grievance of the petitioner.



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6. In view of the aforesaid, the writ petition stands disposed of.

There shall be no order as to costs. Consequently, WMP No.32529 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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