



WEB COPY



W.P. No. 4160 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 4160 of 2024

Manoharan

... Petitioner

-VS-

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Block Development Officer,
Ekkadu, Thiruvallur Taluk & District.
3. The Panchayat President,
Kakkalur Panchayath,
Thiruvallur Taluk & District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider the representation dated 11.10.2023 addressed to the Third Respondent submitted by the Petitioner with respect to the sewer drain issue near the Petitioner's house at No. 370, Bharathiyar Street, Poonthotta Nagar, Kakkalur Village, Thiruvallur – 602 003.

For Petitioner

: Mr. V.Parthiban

For Respondents

: Mr. S.Prabhakaran,
Government Advocate (for R1 & R2)

Mr. M.Himawanth (for R3)



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ORDER

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Heard Mr. V.Parthiban, Learned Counsel for the Petitioner, Mr. S.Prabhakaran, Learned Government Advocate, who takes notice for the First and Second Respondents and Mr. M.Himawanth, Learned Counsel, who takes notice for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had a made representation dated 11.10.2023 to the Third Respondent relating to the hardships caused by the manner in which sewerage drain has been improperly laid near his house at No. 370, Bharathiyar Street, Poonthotta Nagar, Kakkalur, Tiruvallur – 602003, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 11.10.2023 made by the Petitioner including ascertaining as to



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whether the Petitioner would be entitled for the relief claimed;

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- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the concerned persons requiring the same to be furnished within a time frame of not more than 10 working days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, the site shall be inspected by the concerned officials after due notice all parties concerned and an enquiry shall be conducted affording full opportunity of personal hearing to them to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 30.06.2024 under written acknowledgment;
- (v) if any rectification measures are necessary, the same shall be undertaken expeditiously, and in any event, within a period of three months from the date of passing of such order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of the Court.



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WEB COPY In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

23.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 25.03.2024.

pal/kv

To

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Block Development Officer,
Ekkadu, Thiruvallur Taluk & District.
3. The Panchayat President,
Kakkalur Panchayath,
Thiruvallur Taluk & District.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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