



W.P(MD)No.3047 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.3047 of 2024
and
W.M.P(MD)No.3026 of 2024**

1.P.Anbarasi

2.S.Sagarunisha

... Petitioners

Vs.

1.The District Collector,
Tiruchirappalli District.

2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.25, Developed Plots,
Thuvakudi,
Tiruchirappalli – 620 015.

3.The President,
Thalakkudi Village Panchayat,
Tiruchirappalli District – 621 216.

4.The Superintending Engineer,
Public Works Department, WRD,
Tiruchirappalli.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the third respondent to forbear from constructing the illegal sewage drainage in the water body, namely, Kandi Canal in Thalakudi Village, Trichy based on the petitioner's representation.

For Petitioners : Mr.A.V.Saha

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 & R.4

Mrs.Vijayakumari Natarajan for R.2

Mr.N.GA.Natraj for R.3

ORDER

Heard both sides.

2.The petitioners moved this Court to forbear the respondents from letting out sewage / drainage water in to Kandi canal in Thalakudi Village. Notice was issued. The president of the local body has filed counter affidavit. Paragraphs 4 and 5 of the counter affidavit read as follows:

“4. I humbly submit that the property located at the end of Muthunagar and Balamuthunagar extension, Survey Nos.110A and 111 of Thalakudi Village belong to the Panchayat. In the above said property, a soak pit along with Grey water treatment will be set up to the tune of Rs.90,000/-



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in which the sewage water flowing into the gutter will be moved to the soak pit and then to the Grey water tank. This will be acting as the bioreactor and the water recycled can be used for the gardening etc.

5. It is also submitted that there are 30 houses located in the said livelihood out of all 28 person except the above 2 petitioners have voluntarily accepted to undertake the expenditures incurred for the above said system as the respective houses of the locality after their long struggle, the said sewage of drainage had been constructed.”

The stand taken by the local body is recorded. We restrain the respondents from letting out the sewage / drainage water into the petition mentioned water body i.e., Kandi Canal in Thalakudi Village.

3.This writ petition is allowed accordingly. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
05.03.2024

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

To

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