



W.P(MD)No.6023 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6023 of 2024

N.Murugasamy

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Block Development Officer,
Pazhani Panchayat Union Office,
Pazhani,
Dindigul District.

3.The Panchayat President,
Sivagiripatti Panchayat Union Office,
Dindigul Road,
Pazhani,
Dindigul District.

4.Geetha Nagarajan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the third



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respondent herein to remove the block in the drainage channel of the petitioner's house bearing D.No. 644-A, OBC Church Road, Pandian Nagar, Thattankulam Village, 8th Ward, Sivagiripatti Panchayat, Pazhani Taluk, Dindigul District in pursuance of proceedings of the second respondent dated 19.02.2024 within a stipulated period of time to be fixed by this Court.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3. Considering the nature of relief to be granted, issuance of notice to the private respondent is dispensed with.

2. The petitioner's grievance is that the drainage channel in front of his house has been blocked by the fourth respondent. Thiru.Sivasankaran, Panchayat Secretary and Thiru.Karthikeyan, Deputy Block Development Officer are present in person before this Court. Photographs enclosed in the typed set of papers confirm the petitioner's



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allegation. In fact, the officials present before this Court also do not dispute the assertion made by the petitioner. Section 131 (1) (a) of the Tamil Nadu Panchayats Act, 1994 prohibits any person from causing obstruction on any property belonging to the Village Panchayat. The drainage channel is belonging to the Village Panchayat and therefore, obstructing the same is clearly illegal. It is a duty of the respondents 2 and 3 to cause its removal.

3. In fact, when the petitioner lodged complaint before the second respondent, direction on the same lines was passed. At the same time, I have to take note of the submission made before me. It is alleged that the petitioner is also letting in sewage water through the channel and that is why, the obstruction came to be made by the local residents.

4. The petitioner avers before this Court that he had not done anything of the sort. The petitioner is restrained from letting out sewage water into the said drainage channel. The petitioner also gives an undertaking that he will not indulge in any act of that sort. The respondents 2 and 3 are directed to cause removal of the block in the



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petition mentioned drainage channel. This shall be done immediately and without delay.

5. The writ petition is allowed accordingly. There shall be no order as to costs.

12.03.2024

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

To

- 1.The District Collector,
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Dindigul.
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Pazhani,
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- 3.The Panchayat President,
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G.R.SWAMINATHAN, J.

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