



W.P(MD)No.15613 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15613 of 2023

K.Ganesan

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Deputy Director of Health Services,
O/o The Deputy Director of Health Service,
Kovilpatti,
Thoothukudi District.

3.The Block Development Officer,
Kovilpatti Panchayat Union,
Kovilpatti,
Thoothukudi District.

4.The President,
Iluppayurani Village Panchayat,
Kovilpatti Taluk,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents No.2 to 4 herein to ensure the healthy environment by way of providing sewage facility in the Thomas Nagar main to North Iluppayurani Road (Near Shyamala School), Iluppayurani Village, Kovilpatti Taluk, Thoothukudi District by



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considering the petitioner's representation dated 19.04.2023 within a stipulated time period as prescribed by this Court.

For Petitioners : Mr.S.Saravanan

For Respondents : Mr.T.Villavankothai
Additional Government Pleader for R1 & R2

: Mr.B.Saravanan for R3 & R4

ORDER

Heard both sides.

2. All that the petitioner demands is that the local body must ensure hygienic environment. The photographs enclosed in the typed set of papers indicates that gutter and drainage is freely flowing through a public street. This kind of situation ought to be avoided.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the proposal has been submitted for constructing a drainage channel and that it is likely to be completed within a period of six months. These are matters that are having financial implications. This Court therefore is not justified in issuing any time limit. But the rights of the petitioner to a clean and healthy environment is guaranteed under Article 21



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of the Constitution of India. This right has to be respected by the local body.

The local body is directed to take steps to ensure that proper drainage facility is laid in the petition mentioned locality.

4. The Writ Petition is allowed. No costs.

21.03.2024

Index : Yes / No
Internet : Yes/ No
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To

1.The District Collector,
Thoothukudi District,
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2.The Deputy Director of Health Services,
O/o The Deputy Director of Health Service,
Kovilpatti,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

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