



W.P.(MD) No.23796 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2024

CORAM

**THE HON'BLE MR.JUSTICE C.SARAVANAN**

**W.P.(MD) No.23796 of 2018**

V.Vengadeshwaran

... Petitioner

Vs.

1.The District Collector,  
Madurai District,  
Madurai.

2.The Executive Engineer,  
Public Works Department,  
Gokulae Road,  
Chinna Chokkikulam,  
Madurai.

3.The Block Development Officer,  
Madurai East,  
Madurai.

4.Paul,  
C/o.Joseph Iruthayaraj  
Mariya Hotel,  
Punitha Anthony Street,  
R.C. Church Opposite,  
Alagarkovil - Main Road,  
Kathakeeraru - Madurai.

... Respondents



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**Prayer:** Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to take necessary action against the fourth respondent by considering the petitioner's representation dated 19.11.2018.

For Petitioner : Mr.V.Angusamy  
For R1 to R3 : Mr.S.P.Maharajan  
Special Government Pleader  
For R4 : Mr.N.Ananda Kumar

### **ORDER**

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the first to third respondents to take necessary action against the fourth respondent by considering the petitioner's representation dated 19.11.2018.

2. The learned counsel for the private respondent i.e., fourth respondent would submit that the water from the drain pipe of the fourth respondent's restaurant was flowing out onto the street and that the fourth respondent has now constructed a sump within the fourth respondent's restaurant and same is directly connected to the drainage pipe and there is



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no seepage of water onto the street. It is submitted that this Writ Petition has become infructuous.

3. On the other hand, learned Special Government Pleader for the first to third respondents would submit that in respect of the same issue, a wordy quarrel arose between the fourth respondent herein and one Kennady S/o.Arockiyasamy from the very same street, subsequent to which, the said Kennady has lodged a police complaint with Appanthirupathy Police Station. It is submitted that C.S.R.No.311/2023 has also been registered against the fourth respondent.

4. Having considered the arguments advanced by the learned counsel for the petitioner, learned Special Government Pleader for the first to third respondents and the learned counsel for the fourth respondent and having perused the photographs filed by the learned counsel for the fourth respondent to show that the fourth respondent has constructed a sump within his premises, I direct the third respondent to cause a spot inspection and take suitable action in case petitioner's complaint is still unsolved.



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5. In any event, the petitioner is directed to forward the copy of the complaint to the third respondent, within a period of four weeks from the date of receipt of a copy of this order.

6. The third respondent shall pass appropriate orders after carrying out the spot inspection in presence of the petitioner and the fourth respondent, within a period of 4 weeks thereafter.

7. This Writ Petition stands disposed of with the above observations. No cost.

12.04.2024

Index: Yes/ No  
Neutral Citation: Yes / No  
Speaking Order / Non-Speaking Order  
JEN

Copy To:

- 1.The District Collector,  
Madurai District, Madurai.
- 2.The Executive Engineer,  
Public Works Department,  
Gokulae Road, Chinna Chokkikulam,  
Madurai.
- 3.The Block Development Officer,  
Madurai East, Madurai.



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**C.SARAVANAN, J.**

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