



W.P.(MD) No.19535 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.19535 of 2018

and

W.M.P.(MD)No.17323 of 2018

S.Jayaseeli Gnanam

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Executive Officer,
Selection Grade Town Panchayat,
Thiruppathur,
Sivagangai District.

3.The Assistant Environment Engineer,
Tamil Nadu Pollution Control Board,
Sivagangai District,
Sivagangai.

4.The Deputy Director of Health Services,
Public Health and Prevention Medicine Department,
Sivagangai District,
Sivagangai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein not to storage any drainage or any waste water in the vacant land in



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Prabakar Colony, Thiruppathur, Sivagangai District, situated adjacent to the petitioner's residential house in violation of Tamil Nadu Public Health Act, 1939.

For Petitioner : Mr.S.Bharathy Kannan
For R1, R2 & R4 : Mr.S.P.Maharajan
Special Government Pleader
For R3 : Ms.M.Sudha Rani
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein not to store any drainage or any waste water in the vacant land in Prabakar Colony, Thiruppathur, Sivagangai District, situated adjacent to the petitioner's residential house in violation of the Tamil Nadu Public Health Act, 1939.

2. In the affidavit filed in support of the Writ Petition at Paragraph No.4, the petitioner has stated as follows:-

"4. I state that storage of water in open place in the main cause for Dengue Fever. Hence I approached the second respondent in person on 03.06.2016 and requested them to stop the storage of the drainage water in open place adjacent to my residence. On receipt of the same, on 15.05.2017, the second respondent informed me that they inspected



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the said area through the Health Inspector and thereafter the Town Panchayat workers removed the waste water from the open land. But thereafter also the second respondent is permitting the poultry & non veg shop owners and hotel owners to mingle their waste water in the drainage and none of the waste water was removed from the said vacant land situated adjacent to my residence. Hence I gave a representation to the first respondent in person. For that, the second respondent vide his proceedings dated 17.05.2017 informed to the first respondent that suitable action would be taken by them based on the representation."

3. The petitioner has given yet another representation on 23.05.2018.

4. The respondents have not filed any counter affidavit.

5. The Photographs enclosed along with the documents filed in the Writ Petition indicate that there is stagnation of water adjacent to the petitioner's house, which perhaps could lead to breeding of mosquitoes and diseases associated with it.

6. Considering the same, I direct the second respondent to take immediate steps to address to the concern of the petitioner in her



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representation, dated 23.05.2018, as expeditiously as possible, preferably, within a period of 30 days from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the above direction.

No costs. Consequently, connected Miscellaneous Petition is closed.

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

05.04.2024

To

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- 3.The Assistant Environment Engineer,
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C.SARAVANAN, J.

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