



WP(MD)Nos.23983 to 23988 of 2017, 907 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.23983 to 23988 of 2017, 907 of 2018

and

WMP(MD)Nos.20143 to 20154 of 2017, 956, 957 of 2018

WP(MD)No.23983 of 2017:-

R.Mohanasundaram

.. Petitioner

v.

1.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai.

2.The Assistant Engineer,
Ward No.54,
Zone No.3,
Madurai Corporation,
Aringar Anna Maligai,
Madurai.

3.The Sanitary Inspector,
Madurai Corporation,
Aringar Anna Maligai,
Madurai.

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent's impugned order dated 04.12.2017 and the consequential impugned order dated 18.12.2017, quash the same and consequently, directing the respondents to restore and maintain the underground drainage system in proper condition in the Gnanavel Colony, Theppakulam South, New Ramnad Road, Madurai.

For Petitioner : Mr.M.Kannan

For Respondents : Mr.K.Manisekaran
Standing Counsel

COMMON ORDER

The petitioners were provided with underground drainage connections. By the orders impugned, the respondents have taken a stand that they are having certain practical difficulties in implementing the underground drainage system in the area and as such, suggested the petitioners to put up septic tanks.



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2.Having provided the underground drainage system and also collecting necessary fee / tax from the petitioners, the respondents are not justified in taking a stand that it is not implemented effectively. Before implementing a project, the respondents ought to have taken sufficient steps to ascertain as to how the project is to be executed.

3.This Court is not inclined to accept the stand taken by the respondents. The orders impugned in these writ petitions are set aside. The respondents are directed to ensure that the underground drainage connections are provided in an effective manner. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
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05.02.2024

To

1.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai.

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B.PUGALENDHI, J.

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