



W.P.No.3909 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.3909 of 2025

and

W.M.P.No.4327 of 2025

1.P.Chandhini

2.P.Kamala

...Petitioners

-Vs-

1.The Managing Director,
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chintradripet, Chennai – 600 002.

2.The President,
Okkiam Thoraipakkam, 1st Gr.Panchayat Union,
Thoraipakkam, Chennai – 600 097.

3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Buildings,
Egmore, Chennai – 600 008.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 2nd respondent to relocate the sewerage pumping station in the road which is opposite to the petitioners' property at Plot No.52, Chandrasekaran Avenue, Thoraipakkam, Chennai – 600 097 and pass such



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further order.

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For Petitioners : Mr.R.Vinoth Kumar
For R1 & R2 : Mrs.R.L.Karthika,
Government Advocate
For R3 : Mr.Akhil Akbar Ali,
Standing Counsel

ORDER

This writ petition has been filed to direct the 2nd respondent to relocate the sewerage pumping station in the road which is opposite to the petitioners' property at Plot No.52, Chandrasekaran Avenue, Thoraipakkam, Chennai – 600 097.

2. The case of the petitioners is that the 1st petitioner and her mother, 2nd petitioner are the owners of the property at Plot No.52. Okkiam Thoraipakkam Village, Chandrasekaran Avenue, comprised in survey No.257 Part. Patta No.10268, approval layout vide No.MMDA PPD/LO No.70/85, dated 16.07.1985 under Doc.No.7315/2020 dated 14.12.2020 registered with S.R.O. Neelangarai. The second respondent has started to construct a sewerage pumping station opposite to the Petitioners' property on



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the road. Due to the construction of the sewerage pumping station on avenue road and opposite to the petitioners property, close to the residents which may create a big health hazard to the public.

3. Learned counsel appearing for the petitioners would submit that whether the Tamil Nadu Pollution Control Board has given permission to construct and whether it got approval from the Local Corporation Office is unknown, and no public consultation or notice was given to the affected residents by the respondents in the avenue regarding the construction of the sewerage pumping station. Therefore, the Petitioners have given their objection in a letter dated 10.01.2025 and a mail dated 13.01.2025, which was sent by the first petitioner's husband. Till date no action has been taken by the respondents. Hence, the present writ petition is filed.

4. Mrs.R.L.Karthika, learned Government Advocate takes notice for respondents 1 and 2 and Mr.Akhil Akbar Ali, learned Standing Counsel takes notice for the 3rd respondent.

5. Heard both sides and perused the materials available on record.



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6. It is pertinent to mention that the matter was covered by the order of this Court in **W.P.No.35876 of 2024** in the case of **N.Priya and others Vs. The Commissioner, Greater Chennai Corporation, Chennai – 600 003 and others**, which held as follows:

“10. This Court is not able to understand the objections raised by the petitioners.

11. The learned Standing Counsel for the respondents further pointed out the plan by which the scheme is to be implemented and it is stated that the road is of 12 meters in width and an area of 4.5 x 3.6 meters alone will be used beneath the road, the Sewage Pumping Station would be installed. It had been stated that after that, the road would be levelled and even heavy vehicles can travel over the road and therefore no inconvenience will be cause to the petitioners herein.

12. The only reason for filing the Writ Petition is probably lack of awareness of the nature of the scheme and the importance of the scheme. The respondents could very well have entered into a discussion with the petitioners and could have explained the entire issue to the petitioners. The petitioners must also understand that the public interest overrides any private interest.

13. In view of these reasons, I am not inclined to grant any Mandamus as sought for restraining the respondents from implementing the scheme. The learned Standing Counsel also stated that one of among other pumping stations and at all other place, the same had been installed except this particular place. The respondents may proceed further and ensure that the project is completed in accordance with the plan and within a specified time schedule.

14. The Writ Petition stands dismissed. No order as to costs. Consequently, connected Miscellaneous Petition stands closed.”



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WEB COPY In view of the above ratio laid down by this Court in

W.P.No.35876 of 2024, this writ petition stands dismissed with the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

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cda

Index : Yes/No

Speaking/Non Speaking order

To

- 1.The Managing Director,
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J.SATHYA NARAYANA PRASAD, J.

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