



W.P.No.6281 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.6281 of 2025
and W.M.P.No.6910 of 2025

Venkatachalapathy Nagar, Virivakkam (M.M.P. Nagar)
Kudiirupor Nala Sangam,
Rep. by its Treasurer,
No.105 E, Venkatachalapathy Nagar,
Kuruchi, Sandarapuram Post,
Coimbatore – 641 024.

... Petitioner

Vs.

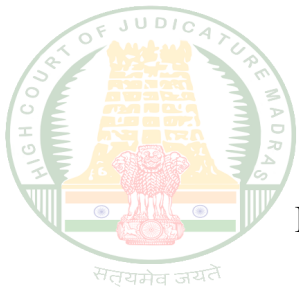
The Coimbatore Corporation,
Rep. by its The Commissioner,
Town Hall, Coimbatore.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus forbearing the respondent from diverting the canal by digging up the land situated at Survey Nos.219/1A and 253/2 running from South to North Kuliur situated at Kuruchi Village in Coimbatore district till the pending disposal of the petitioner representation dated 08.01.2025.

(prayer amended as per order dated 26.02.2025 in WMP.767/2025 in WP.6281/2025 by JSNPJ)

For Petitioner : Mr.Raja Sekar



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For Respondent : Mr.D.R.Arun Kumar,
Standing Counsel

ORDER

The petitioner has filed this petition seeking to forbear the respondent from diverting the canal by digging up the land situated at Survey Nos.219/1A and 253/2 running from South to North Kuliyr situated at Kuruchi Village in Coimbatore district till the pending disposal of the petitioner representation dated 08.01.2025.

2. The case of the petitioner is that the petitioner Sangam was registered on 2012 under the Tamil Nadu Societies Registration Act, 1975 vide Registration No.35/2012. At that point of time, there was a canal in Survey No.253/1, which was running from Kuruchi Tank to Raja vaikal for irrigation purpose. However, after the formation of layout, the said canal was converted into open drainage system by the then Kuruchi Town Panchayat, running in the direction from south. Thereafter, the respondent has taken up a decision of diverting the said open drainage from west to east, thereby the proposed open drainage would be running in front of the houses situated in S.No.219/1A of the petitioner Sangam causing health hazardous to the



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members of the Sangam. Hence, the petitioner Sangam made a representations dated 20.03.2024 and 08.01.2025. However, no action was taken. On 03.02.2025, persons belongs to the respondent office came to dig up the area, in which the proposed diversion of the drainage system is likely to come up in S.No.219/1A. Hence, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice if this Court may issue direction to the respondent to consider the petitioner's representation dated 08.01.2025 on merits, in accordance with law and pass appropriate orders within a time frame to be fixed by this Court.

4. Learned standing counsel appearing for the respondent has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.



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6. Considering the submission made by the learned counsel on either side, this Court without going into the merits of the case, directs the respondent to consider the representation of the petitioner dated 08.01.2025, after giving due notice to the petitioner as well as interested parties if any, affording an opportunity of hearing, considering the documents filed by both the parties on merits, in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above observation and direction. No costs. Consequently, connected miscellaneous petition is closed.

11.03.2025

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Index : Yes/No

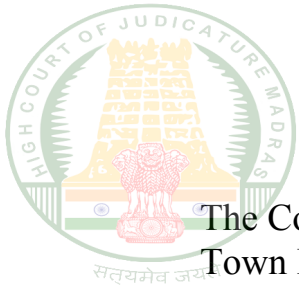
Speaking Order : Yes/No

Neutral Citation : Yes/No

To:

The Commissioner,

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The Coimbatore Corporation,
Town Hall, Coimbatore.

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