



W.P.No.39872 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

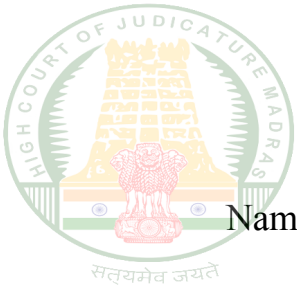
Writ Petition No.39872 of 2024
and W.M.P.No.43196 of 2024

M.Thangavel

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by
Its Principal Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat,
Chennai – 600 006.
- 2.The Managing Director,
Directorate of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.
- 3.The District Collector,
Namakkal District,
Namakkal – 637 003.
- 4.The Tiruchengode Municipality,
Rep. by its Commissioner,
Tiruchengode – 637 211,



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Namakkal District.

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5.The Executive Engineer,
Water Development Department,
Sarabanga Basin Division,
Salem – 636 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Na.Ka.No.5502/2023/E1 dated 12.11.2024 issued by the fourth respondent, quash the same and consequently forbear the respondents from constructing sewage treatment plant (STP) inside the Koottapalli Lake, corresponding channels, water spread areas etc., comprised in T.S.Nos.48, 77/1 and 129 in Ward F, Block 14 and in T.S.Nos.1, 3 and 27 in Ward F, Block 15, Tiruchengode Town, Namakkal District, by considering the petitioner's representation dated 22.10.2024.

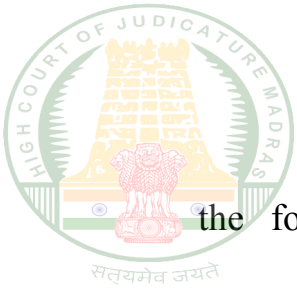
For Petitioner : Mr.N.Manoharan

For Respondents 1, 2 & 4 : Dr.T.Sreenivasan,
Special Government Pleader

For Respondents 3 & 5 : M/s.R.L.Karthika,
Government Advocate

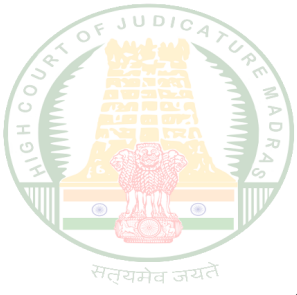
ORDER

The petitioners have filed this petition to call for the records relating to the impugned order in Na.Ka.No.5502/2023/E1 dated 12.11.2024 issued by



the fourth respondent, quash the same and consequently forbear the respondents from constructing sewage treatment plant (STP) inside the Koottapalli Lake, corresponding channels, water spread areas etc., comprised in T.S.Nos.48, 77/1 and 129 in Ward F, Block 14 and in T.S.Nos.1, 3 and 27 in Ward F, Block 15, Tiruchengode Town, Namakkal District, by considering the petitioner's representation dated 22.10.2024.

2. Learned counsel for the petitioner submitted that the petitioner is a resident of Tiruchengode. He came to know that the fourth respondent has decided to encroach the Koottapalli Lake, which is a perennial water source for Tiruchengode Town to put up a construction of sewage treatment plant (STP). For the said project, objections have been raised from various corners, since then subject Lake was restored during Covid19 lock down (2021-2022) and the water body has been partially retrieved from the encroachments. This being the case, the first respondent has issued G.O.Ms. No. 59 by granting administrative sanction to construct STP in 7 municipalities in the State, but not indicating the lake at Koottapalli specifically.



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3. Learned counsel for the petitioner would further submit that one N.Natesan, residence of Tiruchengode gave a representation, by objecting the encroachment in the Koottapalli lake. Pursuant to the said representation, the fourth respondent sent a reply in Na. Ka.No.5502/2023/E1 to N.Natesan stating that a Resolution No.196 dated 08.03.2024 passed for the construction of STP at Koottapalli Lake for the cost of Rs. 36.67 Crores. Subsequently, the petitioner had submitted a detailed representation dated 22.10.2024 to the respondents and other officials, objecting the proposed STP project in the Koottapalli Lake area. In response to the petitioner's representation, the fourth respondent has issued an order in Na.Ka.No.5502/2023/E1 dated 12.11.2024, wherein it is stated that the fourth respondent has chosen the Koottapalli Lake, corresponding channels, drains and catchment areas for the purpose of establishing STP over an extent of 2.50 acres out of 5.97 acres. Challenging the said order dated 12.11.2024, the petitioner has come forward with the present writ petition.

4. Learned Government Advocate appearing for the respondents 3 & 5



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would submit that pursuant to the order of this Court dated 03.01.2025, the third respondent/The District Collector, Namakkal has filed a status report dated 31.01.2025, wherein it is stated that alternate land may be identified for the construction of Sewage Treatment Plant (STP).

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

6. At this juncture, it is pertinent to extract the relevant portion of the status report dated 31.01.2025 filed by the third respondent/The District Collector, Namakkal:

“7. The Tahsildar Tiruchengode in his report has stated that the land proposed by Commissioner, Tiruchengode Municipality is a water course poromboke in T.S.L.R.No.48, 76, 77/1, 129 in ward F block 14 and TSLR No.1,3,7 in ward F block 15 in Tiruchengode Town and the place is classified as ‘sarkar poromboke’, ‘odai vattachiyar Tiruchengode’ and ‘Odai, kuttai, vari’ in village accounts.

9. As per the TNPCB norms, STPS cannot be established in water bodies/any lake or pond preferably in downstream side and hence, the proposed Sewage Treatment Plant cannot be



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established in the above water bodies. The Municipal Commissioner, Tiruchengode has been instructed to identify a suitable alternate land which suits the norms of TNPCB for the proposed STP. Hence, this report may be accepted.”

7. The status report dated 31.01.2025 filed by the third respondent/The District Collector, Namakkal has been taken on record by this Court.

8. In view of the above, nothing survives in this writ petition for further adjudication. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

07.02.2025

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



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To:

- 1.The Principal Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat,
Chennai – 600 006.
- 2.The Managing Director,
Directorate of Municipal Administration,
75, Urban Administrative Building,
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- 3.The District Collector,
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Namakkal – 637 003.

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4.The Commissioner

The Tiruchengode Municipality,
Tiruchengode – 637 211,
Namakkal District.

5.The Executive Engineer,
Water Development Department,
Sarabanga Basin Division,
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J.SATHYA NARAYANA PRASAD,J.

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