



W.P(MD)No.2354 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.2354 of 2024

B.Muthulakshmi

... Petitioner

VS.

1.The District Collector,
District Collector Office,
Madurai District.

2.The Assistant Director (Urban Panchayat),
District Collector Office,
Madurai District.

3.The Executive Officer,
Sholavandan Municipality,
Madurai District.

4.The Executive Engineer,
Public Works Department Office,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents from discharging of the sewage water from R.M.S.Colony, Solavanthan, Vadipatti



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Taluk, Madurai District into Thenoor PWD canal based on the representation sent by the petitioner dated 25.10.2023.

For Petitioner : Mr.R.Rajamohan

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by J. NISHA BANU, J.)

The present Writ Petition is filed to forbear the respondents from discharging of the sewage water from R.M.S.Colony, Solavanthan, Vadipatti Taluk, Madurai District into Thenoor PWD canal.

2. It is the submission of the learned counsel for the petitioner that the petitioner has already filed a writ petition in W.P.(MD) No.20702 of 2023 pertaining to the very same issue of forbearing the respondents from discharging the sewage water from R.M.S.Colony, Solavanthan, Vadipatti Taluk, Madurai District into Thenoor PWD canal.

3. This Court, vide order dated 25.08.2023 disposed of the above writ petition by recording the submission of the learned Additional Government



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Pleader that, no attempt was made to connect the sewage water pipeline with the agricultural channel and further undertook that no such act will be committed in the future also. Pursuant to the order passed by this Court, the second respondent sent a letter dated 31.08.2023 to the respondents 3 & 4 to conduct a detailed enquiry about the mixture of sewage water into the Thenoor agricultural water canal and thereafter, to submit a report.

4. The main grievance of the petitioner is that, till date, both the respondents 3 & 4 have not taken any preventive measures or steps to conduct the enquiry regarding the mixture of the sewage water discharge from R.M.S.Colony, Solavanthan, Vadipatti Taluk into the Thenoor agricultural water canal. Aggrieved against the same, the petitioner has preferred the present writ petition.

5. The learned Government Pleader appearing for the respondents would submit that for the similar relief, earlier the petitioner has filed a Writ Petition in W.P(MD)No.20702 of 2023 and this Court by order dated 25.08.2023 disposed of the Writ Petition. Once again, the petitioner has filed the present Writ Petition



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seeking for the similar relief. The learned Government Pleader would further submit that as of now, no sewage water is let in into Thenoor PWD canal.

6. Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents and perused the materials placed before this Court.

7. The relief sought for in W.P.(MD) No.20702 of 2023 is similar to that of the relief sought for in the present writ petition. Law in this regard is well settled and absence of leave to file fresh petition seeking the same relief as sought for in the earlier writ petition is fatal and the present writ petition is liable to be dismissed. Therefore, this Court is not inclined to grant the relief sought for in the writ petition. Accordingly, the writ petition stands dismissed. No costs.

[J.N.B.,J.] & [S.S.Y.,J.]
13.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps/sts



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and
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ps

ORDER MADE IN
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