

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 14.08.2025****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****AND****THE HON'BLE MR.JUSTICE B.PUGALENDHI****W.P.(MD)No.4822 of 2025 AND****W.M.P.(MD)No.3493 of 2025**

Valliappa Chettiar Oorani and
Valli Vinayagar Kovil Private Trust,
Rep. by its Trustee K.R.Ganesan,
S/o.Karupan Chettiyar,
Office at No.5, Sri Muthal Sami House,
Va.Peri.Mu Street, Devakottai,
Sivagangai District.

... Petitioner

Vs.

The Municipal Commissioner,
Devakottai Municipality,
Devakottai, Sivagangai.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to clean the scattered garbage thrown to the water body namely “ Valliappa Chettiyar Oorani” situated in Town Survey No.A/20/27, Ward No.7 at Devakottai Town and Taluk, Sivagangai District by ensuring the standard of water guaranteed by the Constitution of India.



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For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : Mr.K.R.Bharathi Kannan

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ORDER

Heard both sides.

2. The writ petitioner is a community trust. They want this Court to direct the local body to ensure that the petition-mentioned water body known as Valliappa Chettiyar Oorani is maintained in a proper condition. It is not in dispute that even the local body has been dumping garbage and wastage into the said water body.

3. When the matter was taken up for hearing, the Commissioner, Devakottai Municipality filed an undertaking affidavit, undertaking not to dump any wastage or garbage into the water body. The undertaking of the local body is recorded. The petitioner through his counsel offered to maintain the water body at their own cost.



4. In view of the said offer, we direct the respondent to issue proceedings permitting the petitioner to not only clean the water body, but also maintain it in a proper condition. It is the duty of the local body to ensure that the water body is not polluted by the activities of the local residents. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
14th August 2025

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

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AND

B.PUGALENDHI, J.

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