



W.P.(MD) No.9614 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD) No.9614 of 2020

K.Ramar

... Petitioner

-VS-

- 1.The District Collector
Virudhunagar District
Virudhunagar
- 2.The Revenue Divisional Officer
Sivakasi, Virudhunagar District
- 3.The Block Development Officer
Vembakottai
Virudhunagar District
- 4.The Tahsildar
Sivakasi Taluk
Virudhunagar District
- 5.The President
Subramaniapuram Panchayat
Sivakasi Taluk
Virudhunagar District
- 6.Appadurai



W.P.(MD) No.9614 of 2020

WEB COPY

7.Padmavathi

8.Vijayalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachments and blockages made by the respondents 6 to 8 in the drainage constructed by the fifth respondent for the benefit of the residents of the South Street, Subramaniapuram, Sivakasi Taluk, Virudhunagar District and maintain the drainage in hygienic and proper condition free from encroachment or obstruction by any person.

For Petitioner : Mr.M.Kannan

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1, R2 & R4
Mr.C.Ramar for R3 & R5
Mr.S.Ramasamy for R6
Mr.M.Solaisamy for R7 & R8

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The writ on hand has been instituted seeking a direction to the respondents 1 to 5 to remove the encroachments and blockages made by the respondents 6 to 8 in the drainage constructed by the fifth respondent for the



W.P.(MD) No.9614 of 2020

WEB COPY

benefit of the residents of the South Street, Subramaniapuram, Sivakasi Taluk, Virudhunagar District and maintain the drainage in hygienic and proper condition free from encroachment or obstruction by any person.

2. Learned counsel for the petitioner would submit that the drainage facility provided by Subramaniapuram Panchayat is leading to a patta land and the pattadhars are obstructing free flow of sewage, thereby causing health hazards to the people residing in that locality.

3. At the outset, the complaint made by the petitioner in this regard shows that drainage facility is not properly provided to the residents residing in that locality. Improper drainage facility is causing health hazards to the children, aged people residing in that locality and therefore, the authorities concerned are bound to provide proper drainage facility and to ensure free flow of sewage.

4. Undoubtedly, the complaint of the petitioner is serious in nature. Drainage routes are to be cleared properly and the authorities concerned must ensure that sewage water reaches the appropriate place,



W.P.(MD) No.9614 of 2020

WEB COPY

without causing any environmental damages to the people of that locality. In view of the serious complaint made by the petitioner, the respondents 1 to 5 are directed conduct an inspection and rectify the irregular flow of sewage water and to ensure free drainage flow, without any stagnation. Such an exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. It is made clear that in the event of non-compliance of the above directions issued by this Court on the part of the respondents concerned, the petitioner is at liberty to move this Court for the non-compliance of the directions issued by this Court and in such an event, this Court will view the inaction of the respondents concerned seriously.

6. Accordingly, this writ petition is disposed of. No costs.

[S.M.S., J.]

[A.D.M.C., J.]

24.06.2025

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

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Page 4 of 6



W.P.(MD) No.9614 of 2020

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- 3.The Tahsildar,
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W.P.(MD) No.9614 of 2020

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