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W.P(MD)No.2820 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2025

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD) No.2820 of 2019
and
WMP(MD)No.2144 of 2019**

G.Thirumurugan (M 36/2019)
S/o Ganaesan,
Guru Complex first floor,
R.R. Sethupathi Nagar,
Ramanathapuram,
Ramanathapuram District.

... Petitioner

-VS-

1. The State of Tamil Nadu, represented by
The Principal Secretary,
Health and Family Welfare Department,
State of Tamil Nadu,
Fort St.George, Chennai.
2. The Principal Secretary,
Department of Municipal Administration and Water Supply,
State of Tamil Nadu,
Fort St. George, Chennai.

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3. The Chairman,
Tamil Nadu Water, Supply Board,
31, Kamarajar Salai,
Chepauk, Chennai.
4. The District Collector,
Office of the Collector,
Ramanathapuram District.
5. The Commissioner,
Ramanathapuram Municipal Office,
Ramanathapuram District,
Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the Respondents to strictly inspect and supervise all government over head water tanks in all the districts in the State of Tamil nadu everyday, subsequently to take necessary departmental action against the erring officials who failed to inspect and supervise the government over head water tanks and to direct the Respondents to take action against the officials who are responsible for not to supervise the government over head water tank at Ramanathapuram near the Schwartz Matriculation School in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : Dr.R.Alagumani
For Respondents : Mr.P.Thilakkumar, Government Pleader, for R1, 2 & 4
Mr.R.Satheesh, Standing Counsel for R3
Mr.K.Saravanan, Standing Counsel for R5

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ORDER
[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The petition came to be filed in view of an incident that happened about six years ago, i.e., a dead body was found inside the overhead water tank. Therefore, petitioner states:

- (a) there should be a periodical inspection of water tanks / overhead water tanks;
- (b) it should be kept locked and sealed; and
- (c) action should be taken against those officials who are negligent in letting the incident happen.

2. It is seven years since the incident and there is no other incident thereafter reported. Nevertheless, we direct the Corporation, through the Commissioner, to ensure that there is security in place near all overhead water tanks; the lids of the overhead water tanks are kept locked; and some kind of barrier is placed to prevent unauthorised access towards the overhead water

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tanks. This has to be implemented within six months in the entire area within the jurisdiction of the Corporation. The Corporation shall also ensure that there is a periodical cleaning of the overhead water tanks as per the norms.

3. Petition is disposed of. There shall be no order as to costs.

4. A copy of these directions, though issued in respect of Ramanathapuram Corporation, shall be forwarded to the Chief Secretary of the State, who shall ensure that in all districts, these safeguards are implemented, whether it is in State's control or Corporation's control or under Panchayat's control.

[K.R.SHRIRAM., C.J.]

[S.SRIMATHY, J.]

20.06.2025

NCC : Yes / No

Index : Yes / No

Note to Registry:

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***Mark a copy of this order to the
Chief Secretary, Government of
Tamil Nadu, Fort St. George,
Chennai – 600 009.***

bala

To:

1. The Principal Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
State of Tamil Nadu,
Fort St.George, Chennai.
2. The Principal Secretary,
Department of Municipal Administration and Water Supply,
State of Tamil Nadu,
Fort St. George,
Chennai.
3. The Chairman,
Tamil Nadu Water, Supply Board,
31, Kamarajar Salai,
Chepauk, Chennai.
4. The District Collector,
Office of the Collector,
Ramanathapuram District.
5. The Commissioner,

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Ramanathapuram Municipal Office,
Ramanathapuram District,
Chennai.



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THE HON'BLE CHIEF JUSTICE
and
S.SRIMATHY, J.

bala

ORDER MADE IN
W.P.(MD) No.2820 of 2019

DATED : 20.06.2025