



W.P.(MD) No. 17660 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 17660 of 2025

Malathy

... Petitioner

Vs

1. The Commissioner,
Madurai Corporation,
Madurai.

2. The Assistant Commissioner,
Zone - III,
Madurai Corporation,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to permit the petitioner to restore the damaged underground drainage connection to the petitioner residential house at Door No. RH-185, Anbu Illam, D12-Road, Ellis Nagar, Housing Board Complex, Madurai – 16.



W.P.(MD) No. 17660 of 2025

WEB COPY

For petitioner : Mr. S. Premkumar

For respondents : Mr.K.K.Kannan
Standing Counsel

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and learned Standing Counsel for the respondent.

2. The petitioner appears to be a tenant of one Jeyakumar Albert, who died on 03.06.2024. There is a dispute between the legal heirs of the deceased owner namely, Jeyakumar Albert, due to which a suit is pending in O.S.No.534 of 2020 at the behest of the legal heirs of the said Jeyakumar Albert.

3. Meanwhile, there appears a problem with the drainage and therefore, the petitioner, who is in occupation of the property, filed an application for restoring drainage connection and to repair the damage in drainage pipe. However, the application was filed by forging the signature of the deceased Jeyakumar Albert



W.P.(MD) No. 17660 of 2025

WEB COPY

by the petitioner. The respondents/Corporation, thus, *bona fide* deputed its staff for repairing the drainage pipe, which was objected by the legal heir of the said Jeyakumar Albert. Under these circumstances, the work has been stalled.

4. Although the petitioner has not impleaded the legal heirs of the deceased Jeyakumar Albert in this proceedings, the fact remains that the effluents and sewage cannot be allowed to be let out to cause public nuisance to the residents in the locality. Therefore, there shall be a positive direction to the second respondent to depute its staff/personnel to repair the damaged drainage pipe. This is without prejudice to the rights of the legal heirs of the said Jeyakumar Albert in O.S.No. 534 of 2020.

5. Since the petitioner has filed the application in the name of the deceased owner, the petitioner is directed to file a fresh application in her name, which shall be acted upon as expeditiously as possible. The amounts already paid earlier shall be adjusted for this.

6. This Writ Petition is disposed of, with the above observations. No costs.



W.P.(MD) No. 17660 of 2025

WEB COPY

Index : Yes / No
Internet : Yes / No
apd

27.06.2025

To

1. The Commissioner,
Madurai Corporation,
Madurai.

2. The Assistant Commissioner,
Zone - III,
Madurai Corporation,
Madurai.



WEB COPY



W.P.(MD) No. 17660 of 2025

C.SARAVANAN, J.

apd

W.P.(MD) No. 17660 of 2025

27.06.2025