



W.P.(MD)No.18801 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.18801 of 2022

M.Bovas

.. Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The Deputy Director (Sanitary Works),
Nagercoil, Kanyakumari District.

3.The Block Development Officer (Village Panchayats),
Panchayat Union, Munchirai,
Puthukadai Post, Kanyakumari District.

4.The President,
Vilathurai Panchayath,
Kappukadu,
Kanyakumari District - 629 162.

5.C.Chellan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents No. 1 to 3 to consider the petitioner's representation dated 28.02.2022 and to remove the septic tank of 5th respondent's house as per the report of the



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2nd respondent's officials.

For Petitioner : Mr.S.Jayakumar
For R1 - R4 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R5 : Mr.K.K.Samy

ORDER

This writ petition has been filed for the following relief :

“directing the respondents No.1 to 3 to consider the petitioner's representation dated 28.02.2022 and to remove the septic tank of 5th respondent's house as per the report of the 2nd respondent's officials.”

2. The petitioner submits that the 5th respondent, his neighbour, has constructed a bathroom, latrine, and a septic tank in close proximity to the petitioner's compound wall. As a consequence, sewage has stagnated within the petitioner's premises, leading to contamination of the drinking water well and causing health issues to the petitioner and her family members. The petitioner submitted representations dated 15.12.2021 and



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28.02.2022 to the authorities. Pursuant thereto, the Sanitary Inspector inspected the site and submitted a report, and the 3rd respondent issued a notice directing the 5th respondent to relocate the septic tank. However, the 5th respondent failed to comply. The petitioner thereafter made further representations to respondents 1 to 3, but no effective action or remedy has been provided. Therefore, the petitioner is before this Court.

3. Heard the learned counsels on either side.

4. Without going into the merits of the case, this Court directs the 3rd respondent to consider the representation of the petitioner, dated 28.02.2022 and pass orders after affording an opportunity of personal hearing to the petitioner as well as the 5th respondent. The 3rd respondent shall undertake a physical verification of the Septic Tank and petitioner's land before passing orders. The said exercise shall be completed within a period of one (1) month from the date of receipt of copy of this order.



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5. With the above directions, this Writ Petitions stands disposed of.

No costs.

27.11.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

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Kanyakumari District.
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Nagercoil, Kanyakumari District.
- 3.The Block Development Officer (Village Panchayats),
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P.T.ASHA, J.

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