



W.P.(MD) No.1404 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2025

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD) No.1404 of 2014

A.Shajahan
Petitioner

...

-VS-

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing Respondent No.2 to remove the water tank situated in the 1st Street of Sundarajapattinam, Paramakudi, Ramanathapuram District, within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.Mahaboob Fazil

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for M/s.T.Lajapathi Roy & Associates

For Respondents : Mr.M.Sarangan
Additional Government Pleader for R1
Mr.A.Prasanna Rajadurai for
Standing Counsel for R2

ORDER

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

Counsel for petitioner states that a third party has placed a water tank in the 1st Street of Sundarajapattinam, Paramakudi, Ramanathapuram District, and the tank has been perennially leaking, resulting in the stagnation of water around it.

2. Counsel for petitioner further states that it is universal knowledge that stagnant water breeds mosquitoes, which can cause havoc.

3. The 3rd party is not before us.

4. Mr.A.Prasanna Rajadurai, Counsel for Corporation states that, as the Corporation exists for the benefit of citizens and has permitted the water tank to remain in place for nearly 10 years, it will abide by the orders of the Court.



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5. We direct Respondent No. 2 to maintain the water tank and ensure that it is leak-free. The benefit of maintenance is that water will not be wasted, and the problem highlighted by the petitioner will not recur.

6. Moreover, the photographs annexed to the petition, taken in October 2012, reflect a sorry state of affairs. The Corporation may take steps to improve the living conditions, provided the petitioner and the houses in the pictures are not encroachers and do not involve encroachments.

7. Writ petition is disposed of. There shall be no order as to costs.

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

[V.LAKSHMINARAYANAN, J.]

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NCC : Yes / No

Index : Yes / No

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THE HON'BLE CHIEF JUSTICE
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