



W.P.(MD)No.24223 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.24223 of 2024

and

W.M.P.(MD)No.20494 of 2024

S.Kodikulam Anandaraja Nagar Makkal Nala Sangam,
Rep. By its Secretary,
Paul Devaraj Sutharson,
Plot No.49, Anandaraj Nagar,
S.Kodikulam, K.Pudur,
Madurai-625 007.

... Petitioner

Vs.

1.The Commissioner,
Madurai City Municipal Corporation,
Madurai.

2.The Chief Engineer,
Public Works Department,
Water Resources Department,
Madurai.

3.The Executive Engineer,
Public Works Department,
Water Resource Organisation,
Periyar Vaigai Basin Organisation,
Periyar Vaigain Basin Division, Madurai.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to remove the pipelines which are being used by the first respondent corporation for letting the drainage waste into the Sathaiyar Oodai and consequently forbearing the respondents from letting any drainage waste into the Sathaiyar Oodai located at 120 feet Surveyor Colony to Mattuthavani road near Anandaraja Nagar by any means from the pumping station.

For Petitioner :Mr.T.Antony Arulraj

For Respondents :Mr.K.K.Kannan
for R1
: Mr.K.Balasubramani
Special Government Pleader
for R2 & R3

ORDER

Heard both sides.

2. The petitioner points out that Sathaiyar Odai which starts from Sathaiyar dam and reaches vaigai through Vandiyur Tank / Kanmoi has become highly polluted. It is specifically stated that pollution has been happening primarily only within the corporation limits. The photographs shown to us reveal a very sorry state of affairs.



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3. The learned standing counsel for the corporation submits that the work order was issued on 27.01.2025 for construction of UGD for left out areas. He states that this project may take one year to be completed. His confident is that once UGD project is completed, the pollution level will be fully reduced.

4. We direct the Madurai Corporation to ensure that the project is implemented within the aforesaid time limit. The manner in which the contractor is carrying on shall be closely monitored. We also direct the Public Works Department to liaison with the Madurai Corporation and ensure that when once the project is completed, Sathaiyar odai is free of pollution. Though the long term solution has been proposed before us, it is the duty of the corporation to ensure that Sathaiyar Odai is not polluted by individuals or corporate entities. It is well settled that any person who is polluting the water body shall pay for the act done and also for restoration. The corporation would be at liberty to levy penalty on the persons who are polluting Sathaiyar Odai.



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WEB COPY 5. The Writ Petition is disposed of. No costs. Consequently,
connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
27.03.2025

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

To

1. The Chief Engineer,
Public Works Department,
Water Resources Department,
Madurai.
2. The Executive Engineer,
Public Works Department,
Water Resource Organisation,
Periyar Vaigai Basin Organisation,
Periyar Vaigain Basin Division, Madurai.



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B.PUGALENDHI, J.

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