
(2014) 11 MAD CK 0298

In the Madras High Court

Case No : W.P(MD) No. 9727 of 2012 and M.P(MD) No. 1 of 2012

S. Raghavan

APPELLANT

Vs

The State of Tamil Nadu

RESPONDENT

Date of Decision : 19-11-2014

Acts Referred:

Citation : (2014) 11 MAD CK 0298

Hon'ble Judges : V.M. Velumani, J;V. Dhanapalan, J

Bench : Division Bench

Judgement

V. Dhanapalan, J.

1. By consent of the learned Counsel on either side, this writ petition itself is taken up for final disposal.

2. Heard Mr.T.Lajapathi Roy, learned Counsel for the petitioner, Mr.C.Selvaraj, learned Special Government Pleader for the respondents 1 and 2, and Mr.J.Gunaseelan Muthiah, learned Government Advocate for the third respondent.

3. This writ petition has been filed in public interest, seeking a writ of Mandamus to direct the third respondent to inter-connect sewage disposal system to the existing Corporation Sewage System without pumping the drainage water openly into the irrigational channels like Kruthumal and Avaniapuram channels within the time stipulated by this Court.

4. The main grievance of the petitioner is that the sewage generated in and around Ellis nagar area is being discharged into two channels, viz., Kruthumal Channel and Avaniapuram Channel and thereby, caused serious health hazards in that locality. He also made representations to the authorities concerned seeking redressal, but, nothing turned out. Hence, he approached this Court with the present writ petition for the above relief.

5. Now, the learned Government Pleader for the third respondent, has brought to the notice of this Court about the written instructions given by the third

respondent, by communication dated 08.08.2012, in Jn.S.2/20764/UGSS/2012, wherein it is stated as follows:

"In the above writ petition Thiru.S.Ragavan resident of Ellis nagar, Madurai has stated that the sewage generated in and around the Ellis nagar area is being discharged in Girudhumal and Avaniyapuram Channel which causes health hazard and hence he has requested the Hon"ble Court to give suitable direction to the Commissioner to dispose of the sewage through the existing sewerage system.

In this connection the following details are furnished to the Government Pleader.

1. The Ellis nagar sewerage system was originally designed by Tamilnadu Housing Board.
2. The sewerage system was insufficient for collecting, conveying and pumping this sewage.
3. In addition to the insufficiency in collecting, conveying and pumping the Sewage Treatment System developed by Tamilnadu Housing Board was also not in function.
4. Madurai Corporation has taken sincere efforts to maintain the sewerage system and as of now there is no sewerage overflow on the road or failure in pumping the sewage.
5. The feasibility studies have been made to pump the sewage to the nearest drainage pumping station so as to pump the sewage to the common treatment plant.
6. Based on the study report appropriate action has been taken to convey the sewage generated in Ellis nagar area to the nearest existing pumping station, so as to connect with the existing sewerage network.
7. Madurai Corporation has taken sincere efforts to avoid sewage water flowing through the channels.

The above interconnection work is expected to be completed within 6 months. After completing and commissioning of interconnection work there won't be any spillage of sewage."

6. From the above, we find that the respondents have acted diligently as to the grievance of the petitioner, in maintaining the sewerage system and taken the aforesaid steps in this regard.

7. Recording the above statement of the third respondent, we dispose of the writ petition. Consequently, the connected miscellaneous petition is closed.