

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.09.2016**

CORAM:

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU**

AND

**THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

**W.P.(MD).No.15295 of 2012**

and

**M.P.(MD).No.1 of 2012**

Karur Mavatta Nilathadi Neer Pathugappau  
Maturm Sayakalival Pathikkapatta  
Vivasayigal Sangam, rep. by its  
Secretary, M.Ramalingam,  
Narikattiyur, Karur District.

.. Petitioner

Vs.

1.State of Tamil Nadu,  
rep. by the Secretary,  
Municipal Administration,  
Secretariat, Fort St. George,  
Chennai.

2.The Commissioner,  
Karur Municipality, Karur.

3.The Chief Engineer,  
Public Works Department,  
Karur District, Karur.

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 and 2 to provide for proper drainage system as provided under Section 137 of the Tamil Nadu District Municipalities Act and not to let in the drainage/sewage water of the Karur Municipality into Amaravathi River and its channels.

For Petitioner : Ms.D.Geetha

For respondents : Mr.M.Govindan,  
Special Government Pleader

**ORDER**

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Public Interest Litigation seeking a direction to the respondents 1 and 2 to provide for proper drainage system as provided under Section 137 of the Tamil Nadu District Municipalities Act and not to let in the drainage/sewage water of the Karur Municipality into Amaravathi river and its channels.

2.We have heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents. We have also perused the records carefully.

3.In the affidavit filed in support of the petition, the petitioner alleged that in many places the drainage/sewage water is let into Amaravathi river.

4.Today, the Commissioner, Karur Municipality, made appearance before this Court. When we enquired the Commissioner about the correctness of the said statement, the Commissioner tacitly admitted before us that at two points, the drainage/sewage water is let into Amaravathi river. He has also admitted that the water from Amaravathi river flows into the river Kaveri and thereafter, the water is pumped from Kaveri for drinking purpose. He has stated that the underground drainage project is being implemented in Karur and it will take some more time for

completing the same and that within two months from now, the Municipality will ensure that there is no drainage/sewage water let into neither Amaravathi river nor Kaveri river.

5. In our considered view, since the water from Amaravathi river, which flows into Kaveri river, is being taken for drinking purposes, we cannot allow the drainage to drain into Amaravathi river. We are sure that it will cause great health hazards for the people in the locality. Though this Writ Petition has been pending from the year 2012, the respondents have not taken effective steps to stop draining the drainage water into Amaravathi river. Therefore, we are impelled to issue a direction, as prayed for.

6. Accordingly, the respondents 1 and 2 are directed to stop draining the drainage/sewage water into Amaravathi river within Karur Municipal Limit and the said exercise shall be completed on or before 30.10.2016.

7. In the result, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

**[S.N. J.,] [M.V.M. J.,]**  
**28.09.2016**

Index : Yes/No  
Internet : Yes/No  
gcb

**S.NAGAMUTHU, J.  
AND  
M.V.MURALIDARAN, J.**  
gcb

To

1.The Secretary,  
Municipal Administration,  
Secretariat, Fort St. George,  
Chennai.

2.The Commissioner,  
Karur Municipality,  
Karur.

3.The Chief Engineer,  
Public Works Department,  
Karur District, Karur.

Order made in  
W.P.(MD).No.15295 of 2012

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