

D/L
Item No. 68
17.09.2025
KOLE
266306

WPA 3137 of 2025

**Krishnendu Gayen & Ors.
-Vs.-
The State of West Bengal & Ors.**

Mr. Debasish Sarkar,

.....for the petitioners.

Affidavit of service filed in court today be kept with the records.

The petitioners are all residents of Nayanpur village under District South 24 Parganas. They complain that a canal under Narayanpur Gram Panchayat which runs through the said village and which is used for draining excess and dirty water out from the village into Ghiyabati river has remained clogged for a substantial period of time due to encroachment and lack of maintenance. It is submitted that despite repeated representations before the respondents, no step has been taken by the respondent to clean the said canal, by reason whereof the canal has become a breeding ground for mosquitoes. It is further submitted that earlier during the rainy season when the canal used to get filled up excess water thereof was used by the villagers but due to its clogging and encroachment it has now become an impossibility.

The State respondents are represented.

Since the issue raised by the petitioner needs to be addressed by the respondent-State authorities and the petitioner has already approached the respondents, including

the respondent no 2, i.e., the District Magistrate, South 24 Parganas, therefore, it would be proper for the said District Magistrate to consider the writ petitioners' grievances and take appropriate steps.

The District Magistrate, South 24 Parganas, is therefore directed to consider the representation dated August 20, 2024 made by the petitioners and dispose of the same by passing a reasoned order, strictly in accordance with law within a period of four weeks from the date of communication of this order.

In case, the said District Magistrate finds that the grievances of the writ petitioners are well-founded, then the District Magistrate shall take appropriate steps to ensure that canal is appropriately restored and cleaned.

The District Magistrate shall also take appropriate steps to ensure that there is no illegal encroachment over the canal and that the canal is well maintained upon being de-clogged first.

WPA 3137 of 2025 stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Om Narayan Rai, J.)