

**In Re: the District Magistrate**

**In Re: the District Magistrate**

**SooperKanoon Citation :** [sooperkanoon.com/807991](http://sooperkanoon.com/807991)

**Court :** Chennai

**Decided On :** Jul-24-1942

**Reported in :** AIR1943Mad398; (1943)1MLJ258

**Appellant :** In Re: the District Magistrate

**Judgement :**

ORDER

**Horwill, J.**

1. The accused in this case was charged under Section 34 of the Public Health Act of 1939 with allowing sewage water to run into a public street. The accused seems to have pleaded guilty, but at the same time given an explanation which the District Magistrate considers to have amounted to a plea of 'Not guilty.'

2. As I understand the accused's explanation, he has an easement right to allow his water to run into his neighbour's land, but apparently that water runs from there into the public street. Even though he is allowed to run the water into his neighbour's land, he is nevertheless punishable under the section under which he is charged; for he caused the water to run into the public street through his neighbour's land.

3. No interference in revision is called for.

4. The reference is returned.

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