



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.09.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.14489 of 2015

Periyakaruppan

... Petitioner

Vs.

The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

... Respondents

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the respondent herein to restore drinking water connection No.2558 to petitioner's house at Door No.7/58 situated in Fish Market Street, Paramakudi by considering petitioner's representation, dated 07.07.2015 within a reasonable time.

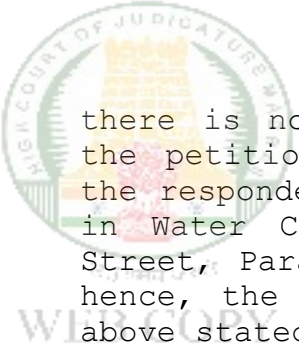
For petitioner : Mr.N.Vijayakumar
For Respondent : Mr.M.Kannan

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the respondent herein to restore drinking water connection No.2558 to petitioner's house at Door No.7/58 situated in Fish Market Street, Paramakudi by considering petitioner's representation, dated 07.07.2015 within a reasonable time.

2.Heard Mr.N.Vijayakumar, learned counsel appearing for the petitioner and Mr.M.Kannan, learned counsel appearing for the respondent.

3. In the affidavit filed in support of the Writ Petition, it has been averred that the respondent Municipality provided drinking water connection to the petitioner's house in Water Connection No.2558. But later due to non-payment of water charges, it was disconnected. The entire arrears, from 2000 to 2011 as per demand notice, dated 26.02.2010 issued by the respondent-municipality, was paid. But, the water connection was not restored. Hence, the petitioner has filed O.S.No.13 of 2011 before the District Munsif Court, Paramakudi and the same was allowed. Even thereafter, the drinking water connection was not given. But the respondent by notice, dated 17.03.2014 requested the petitioner to give encumbrance certificate. The petitioner also produced the encumbrance certificate as demanded by the respondent Municipality. The Security Deposit and Water Supply Repair charges were paid under Receipt No.1351346 and 1351347. Even thereafter, drinking water connection was not restored. The Paramakudi Municipality has also collected water charges for 2015-2016-I & 2015-2016-II. As on date there is no dues and



there is no impediment for restoration of drinking water connection to the petitioner's house. Hence, the petitioner made a representation to the respondent on 07.07.2015 seeking to restore drinking water connection in Water Connection No.2558 to Door No.7/58 situated in Fish Market Street, Paramakudi but till date, the same has not been considered and hence, the petitioner has come forward with this Writ petition for the above stated relief.

4. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the respondent to consider the representation of the petitioner, dated 07.07.2015 by affording an opportunity of hearing to the parties and pass appropriate orders on the same, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

+1cc to Mr.E.V.N.Siva, Advocate SR.No.56951
+1cc to Mr.M.Kannan, Advocate SR.No.57023

W.P(MD) .No.14489 of 2015
28.09.2015

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NS/MP/08.10.2015 : 2P/4C