

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.35565 of 2016

N.Babu Ganesh .. Petitioner

Vs.

1. The Secretary to Government
Municipal Administration and
Water Supply Department
Secretariat, St. George Fort
Chennai - 9.

2. The Collector
Tiruvallur District
Tiruvallur.

3. The Commissioner
Avadi Municipality
'A' Grade Municipality
Avadi, Chennai - 600 054.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the respondents to give proper water supply and drainage connection to the public of Avadi under the administration of Avadi Municipality within the stipulated time.

For Petitioner : Mr.N.Babu Ganesh
Party-in-Person

For Respondents : Mr.T.N.Rajagopalan
Special Government Pleader
for respondents 1 and 2

Mr.P.Srinivas
for 3rd respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner has filed the public interest litigation seeking directions against the respondents, more specifically the third respondent/Municipality, to give proper water supply and drainage connections to the public of Avadi under the administration of Avadi Municipality within a stipulated time.

2. It is the case of the petitioner that amounts were sanctioned under the Jawaharlal Nehru National Urban Renewal Mission for metro water works in Avadi Municipality area. This programme was to be completed within two years. Since the scheme was not fully implemented within two years period of time, there were agitations in the year 2009. In 2011, 77% of the work was stated to be completed as per public announcements with the assurance that metro water will be supplied to Avadi from Puzhal lake shortly.

3. In the year 2009, persons in residential areas with coverage in excess of certain amount of square feet were even asked to deposit amounts, but the position has remained the same and no answer is forthcoming as to when the scheme would be complete.

4. The petitioner even sought information under the Right to Information Act and the stand even as per the response of the respondents dated 16.2.2015 is that the scheme was commenced on 11.11.2009, while the date of completion of the work is referred to as "Work is under process".

5. The learned counsel for the third respondent submits that 95% of the work is over and 100 connections have been given in the last one week. We put a query to the learned counsel as to

in how much time all the connections will be issued. The learned counsel for the Municipality states that they will be issuing 1000 connections per month.

6. We fail to appreciate the aforesaid position for the reason that if 1000 connections per month are given and as per their own case about 18000+ applications are pending, then it will take 18 months to give connections alone in a project which was to be completed within two years and has already taken 7 years. We, thus, call upon the third respondent/Municipality to devise a methodology to ensure that these connections are given quickly and submit a compliance report before us in this behalf. We would also monitor the matter for some time to ensure that there is no further delay.

7. The petition is disposed of with the aforesaid directions. No costs.

8. List for compliance on 16.12.2016. The compliance report be filed at least five days before next date of hearing, with advance copy to the petitioner.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

sasi

To:

1. The Secretary to Government
Municipal Administration and
Water Supply Department
Secretariat, St. George Fort
Chennai - 9.

2. The Collector
Tiruvallur District
Tiruvallur.

3. The Commissioner
Avadi Municipality
'A' Grade Municipality
Avadi, Chennai - 600 054.

4 The Section Officer/Posting
Writ Section, High Court, Madras

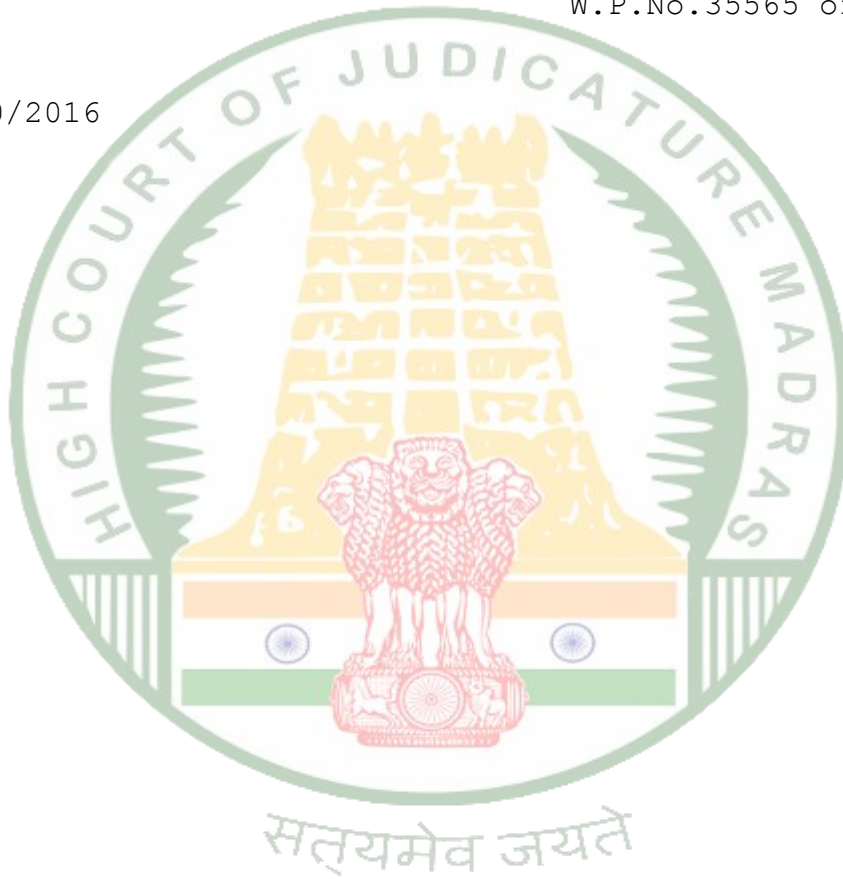
+1 CC to Babu Ganesh, Advocate Sr.No.13820

+1 CC to Government Pleader, Sr.No.13885

+ 1 CC to Mr.Babu Ganesh, Party in person, sr no 13820[25/10]

W.P.No.35565 of 2016

MD : 20/10/2016



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