



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P. (MD) No.10858 of 2016

Chinnasamy

...Petitioner

Vs.

1. The District Collector,
Collectorate,
Dindigul.

2. The Assistant Director (Town Panchayats),
District Collectorate Building,
Dindigul.

3. The President,
Eriyode Town Panchayat Council,
Eriyode,
Vedasanthur Taluk,
Dindigul District.

4. The Executive Officer,
Eriyode Town Panchayat,
Eriyode, Vedasanthur Taluk,
Dindigul Taluk.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to provide a drinking water tap connection to petitioner's house in S.No.831/2A, located opposite to V.A.O. Office, Naal Road, Eriyode Village, Vedasanthur Taluk, Dindigul District.

For Petitioner : Mr.H.Lakshmi Shankar

For R1 and R2 : Mr.K.Guru

Additional Govt. Pleader

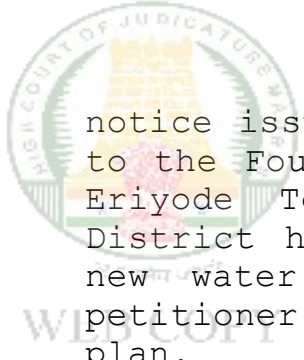
For R3 and R4 : Mr.R.Velmurugan

O R D E R

Heard both sides.

2. By consent, the main Writ Petition itself is taken up for final disposal.

3. According to the petitioner, he seeking drinking water tap connection for his tiled house and sent very many representations from the year 2015 onwards. However, till date no action has been taken in the subject matter in issue. It is also represented on behalf of the petitioner that for the last legal



notice issued on behalf of the petitioner on 23.04.2016 addressed to the Fourth Respondent, the Fourth Respondent/Executive Officer Eriyode Town Panchayat, Eriyode, Vedasanthur Taluk, Dindigul District had issued a reply stating that due to water scarcity, new water connection could not be granted and further, the petitioner is to produce the title documents for his house and plan.

4. The principal grievance of the petitioner is that drinking water being a basic necessity is an integral part of the fundamental right to life of a Homo-Sapiens and the same cannot be denied by the respondents. At this stage, this Court has perused the reply notice of the Executive Officer, Eriyode Town Panchayat, Eriyode, Vedasanthur, Dindigul Taluk dated 17.05.2016, whereby and whereunder at paragraph-7, it was categorically mentioned that the petitioner had not submitted his document pertaining to his house and the plan, in spite of the same being asked on numerous occasions and in the absence of aforesaid documents, the house tax receipt in favour of petitioner was not to be made and added further, the water tap connection also for the house in question was not to be given.

5. In view of the fact that the drinking water is a basic necessity and an integral part of a fundamental right of a citizen/homo-sapiens and also this Court, taking note of the fact that right to life and dignity are enshrined under the Constitution of India, at this stage, without going into the merits of the subject matter in issue, simply directs the petitioner to submit his title deeds in respect of the house property and the sanctioned plan in respect of the house in question within one week from the date of receipt of a copy of this order. The aforesaid documents shall be handed over to the fourth respondent/Executive Officer, Eriyode Town Panchayat, Eriyode, Vedasanthur Taluk, Dindigul District and on receipt of the same, the fourth respondent shall do the needful in regard to the assessment of property, house tax and the grant of water connection to the petitioner's house. The Fourth Respondent is to pass necessary orders within three weeks thereafter. The petitioner is directed to lend his assistance and co-operation to the Fourth Respondent and the Fourth Respondent will do the needful in the subject matter in issue.

6. With the aforesaid observation and direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS)

To
<https://hcservices.ecourts.gov.in/hcservices/>

1. The District Collector,
 Collectorate, Dindigul.



2. The Assistant Director (Town Panchayats),
District Collectorate Building,
Dindigul.

3. The President,
Eriyode Town Panchayat Council,
Eriyode,
Vedasanthur Taluk,
Dindigul District.

4. The Executive Officer,
Eriyode Town Panchayat,
Eriyode,
Vedasanthur Taluk,
Dindigul Taluk.

+1cc to the Special Government Pleader in SR.31858

+1cc to Mr.H.Lakshmi Shankar, Advocate in SR.31791

+1cc to Mr.R.Velmurugan, Advocate in SR.32597

W.P. (MD) No.10858 of 2016

21.06.2016

akv

PBK/AAL-MPA/SAR-I 29.06.2016 ::3P-8C: