



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD).No.12955 of 2016

M.Gomathinayagam

... Petitioner

Vs

The Commissioner,
Madurai Corporation,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent to repair petitioner's water supply connection pipe line in petitioner's water fee assessment number 153 by considering the representation of the petitioner's dated 03.06.2016.

For petitioner : Mr.K.P.S.Sankara Kumara Kurupar

For Respondents : Mr.R.Murali

ORDER

Mr.M.Gomathinayagam, is a resident of Gandhiji second street, Tirunagar, Madurai. He applied for water connection from the erstwhile Tirunagar Town Panchayat by paying requisite fee. His assessment number is 153 and accordingly, water connection was given in the month of October 2006. While so, the water was not properly supplied from 31.05.2007, still, the respondent demanded water tax from the petitioner, forcing him to file a Writ Petition in W.P.(MD).No.3577 of 2015, wherein, an interim order was passed. While so, on 01.08.2015, the water connection pipe was damaged by Corporation drainage contractors. Since the request of the petitioner to restore the water connection was not considered, he moved another Writ Petition in W.P.(MD).No.4374 of 2016 and on 03.03.2016, the said Writ Petition was disposed of by this Court, with a direction to consider the representation of the petitioner within a period of eight weeks from the date of receipt of a copy of the representation. Even then, there was no fruitful effort by the respondent, which compelled the petitioner to once again move this Court with the present Writ Petition for restoring the water



connection.

2. Mr.R.Murali, learned Standing Counsel was put on notice for the respondent.

3. During the course of arguments, learned Standing Counsel sought one week time to restore the water connection of the petitioner. But, this Court is not inclined to grant one week time to the respondent Corporation for the reason that water is a basic necessity of life and without there being water, the day to-day life will get very much affected. In the present case, incessantly, the petitioner has filed one Writ Petition after the other which shows his anguish to get water at the earliest. Furthermore, the petitioner, being an octogenarian and has been enjoying water connection from the respondent Corporation since October 2006, without further delay, this Court directs the respondent to restore the water connection to the petitioner, within a period of two days from today.

4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS)

To
The Commissioner,
Madurai Corporation,
Madurai.

+1cc to Mr.A.Suresh Babu, Advocate, Sr.No.38749

ssm

JM/NGM-MP/SAR-II/22.07.2016/2P-3C

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