



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P(MD)No.17919 of 2016

A.Dineshkumar : Petitioner

Vs.

1.The District Collector,
Collectorate, Trichy District.

2.The Block Development Officer,
Thathiengarpet Union,
Trichy District.

3.The Panchayat President,
Muthampatti Panchayat,
Musiri Union, Trichy District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to remove the water tape connection in Athidraavidar Street, Muthampatti Village, Mettupatti Post, Musiri Taluk, Trichy District, by the way of considering the petitioner's representation dated 17.08.2016 and relocate the water tape connection in safest place.

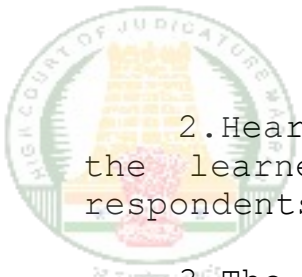
For Petitioner : Mr.R.Venkatesan

For Respondent No.1 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

For Respondents 2 and 3: Mr.D.Muruganandam,
Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 to 3 to remove the water tap connection in Athidraavidar Street, Muthampatti Village, Mettupatti Post, Musiri Taluk, Trichy District, by considering the petitioner's representation dated 17.08.2016 and relocate the water tap connection in safest place.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleaders appearing for the respondents.

3. The case of the petitioner is that the petitioner is residing at Muthampatti Village. There is a water tap connection in the road abutting a bend, which is used by the public for the purpose of taking bath, washing clothes and also for other purposes, which made the road slippery and unfit for walking and also causing great danger to the public. Therefore, the petitioner made a representation dated 17.08.2016, to the respondents praying to remove the water tap connection and relocate the same in the safest place in his area in order to avoid accident and great hardship. As the same was not considered by the respondents, this writ petition has been filed.

4. When the matter was taken up for hearing on 21.09.2016, this Court passed the following order:

"This is a writ of Mandamus directing the respondent Nos.1 to 3 to remove the water tap connection at Athidravidar street, Muthampatti Village, Mettupatti Post, Musiri Taluk, Trichy District by considering the representation of the petitioner, dated 17.08.2016.

2. In the representation, dated 17.08.2016, the petitioner herein, who is a Secretary of NGO, has stated that there is a water tap in the road abutting a bend, which is used by the public for the purpose of taking bath, washing clothes and also for other purposes, which make the road slippery and unfit for walking and also causing great danger to the public.

3. This representation, even though, dated 17.08.2016, has not been looked into and that has made the petitioner to move this Court.

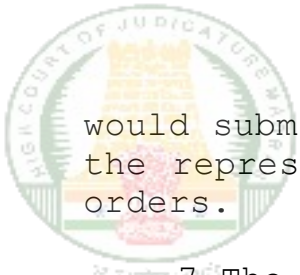
4. The learned Additional Government Pleader for the respondents would fairly submit that the respondents will look into the matter and report compliance by one week.

5. Post the matter on 19.10.2016 'for reporting compliance'.

Thereafter, at the request of the respondents, this matter has been adjourned to 14.11.2016 (today) for reporting compliance and accordingly, this matter has been listed today under the caption 'for reporting compliance'.

5. Today, when the matter is taken up for hearing, the learned Additional Government Pleader, appearing for the respondents 2 and 3 would submit that when the respondents 2 and 3 took steps to remove the water tap connection, there were serious objections by the village people and therefore it could not be removed and the tap alone was changed.

6. At this juncture, the learned counsel for the petitioner



would submit that it is better that the respondents shall consider the representation of the petitioner dated 17.08.2016 and to pass orders.

7. The learned Additional Government Pleaders would submit that it is agreeable for the respondents to consider the representation of the petitioner and to pass appropriate orders.

8. Recording the submission made by the learned Additional Government Pleaders for the respondents, the respondents are directed to consider the representation of the petitioner dated 17.08.2016 and to pass orders on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

smn

To

1. The District Collector,
Collectorate, Trichy District.

2. The Block Development Officer,
Thathiengarpur Union,
Trichy District.

3. The Panchayat President,
Muthampatti Panchayat,
Musiri Union, Trichy District.

+1cc to Mr.R.Venkatesan Advocate Sr.No. 68387

+1cc to Spl.Government Pleader Sr.No. 68846

JAM/01.12.16/SS 2/3p-6c

ORDER MADE IN
W.P(MD)No.17919 of 2016
14.11.2016