

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.6248 of 2017

S.Shanmugam

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Coimbatore District

2. The Block Development Officer (Panchayat)
I/c. Karavalimathapur Village Panchayat,
Soolur, Coimbatore District.

3. The President,
Karavalimathapur Village Panchayat,
Soolur Taluk, Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the petitioners representation dated 31.10.2016 and directing the respondent to issue water connection to petitioner's house bearing Nos.2/33, 2/34, 2/35 Ramachiyamapalayam, Karavalimathapur Post, Soolur Taluk, Coimbatore.

For Petitioner : Mr.S.Ravichandran

For Respondents 1 & 3 : Mr.S.Diwakar
Special Government Pleader

For Respondent 2 : Ms.M.E.Raniselvam
Additional Government Pleader

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O R D E R

The petitioner's request for water connection was not considered favourably. The petitioner has been making representations from 21.12.2015 onwards, the last one being on 31.10.2016. Therefore, the present writ petition has been filed seeking consideration of the representation dated 31.10.2016 with a further prayer to give water connection.

2.The learned Special Government Pleader appearing for the first respondent would submit that a decision has been made not to give any new water connection. This Court is afraid that the said general direction issued by the first respondent cannot be a factor to deny the water connection. Merely because the connection is given, it cannot be said that the water has to be provided. Unless the connection is given, the water cannot be rationed. The petitioner does not seek for providing water but only water connection. Providing water depends upon the availability. The petitioner contends that for his neighbour, permission has been granted and the work is going on.

3.In such view of the matter, a direction is issued to the respondents to provide water connection to the petitioner as per law notwithstanding the decision made in Na.Ka.No.4358/2015/A4 dated ...02.2017 pursuant to the meeting conducted on 31.01.2017. The needful will have to be done within a period of eight weeks from the date of receipt of a copy of this order, however, it is made clear that water connection, if any, to be provided would not give vested right to the petitioner to seek water, which will be subject to the availability.

4. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

raja
To

1. The District Collector,
Collectorate,
Coimbatore District
2. The Block Development Officer (Panchayat)
I/c. Karavalimathapur Village Panchayat,
Soolur, Coimbatore District.
3. The President,
Karavalimathapur Village Panchayat,
Soolur Taluk, Coimbatore District.

+lcc to Mr.S.Ravichandran, Advocate, S.R.No.43960
+lcc to the Government Pleader, S.R.No.44782

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CS IV
CA(03/07/2017)