

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2017

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.33632 of 2004
W.P.M.P No.40674 & 40675

P.Chelliah

... Petitioner

Vs.

1.The Director of Town Panchayats
Kuralagam, Chennai-600 108.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.

4.G.SubraManian

... Respondents

(R4 impleaded as per Order dated 8.12.2005)

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to calling for the records comprised in the proceedings of the 3rd Respondent in Rc.No.A5/7941/04 dated 29.10.2004 and to quash the proceedings of the 3rd Respondent dated 29.10.2004 and consequently directing the Respondents to implement the water supply scheme sanctioned by the 1st Respondent in respect of Sethur Town Panchayat.

For petitioner	: Mr.T.SenthilKumar
	for Mr.D.Srinivasaraghavan
For R1 to R3	: Mrs.K.Bhuvaehswari
	Government Advocate
For R4	: Mr.Premnarayanan

O R D E R

Challenging the proceedings of the 3rd Respondent in Rc.No.A5/7941/04 dated 29.10.2004, the present Writ Petition has been filed by the petitioner.

2. The case of the petitioner is that he was the then President of Sethur Selection Grade Town Panchayat. At that time, the 1st respondent sanctioned a Welfare Scheme of providing water connections to the individual houses numbering 625 in Sethur Selection Grade Town Panchayat and the said Scheme was published in ''Kathiravan Newspaper'' dated 17.07.2004. The said scheme was announced by the 1st respondent in Na.Ka.No.16218/2004 T1 dated 14.7.2004. Pursuant to the above scheme, the 3rd respondent started the work of giving connections to 625 houses within Sethur Selection Grade Town Panchayat Limit and the work was going on. While so, a Writ Petition came to be filed by the Councilor and other Local People objecting the aforesaid notification. The same was dismissed by this Court. However, one G.Subramaniam, one of the Councillors of 18th Ward of the Petitioner Panchayat made a complaint on 4.8.2004 without disclosing the fact that the writ petition filed by him was dismissed by this Court. On receipt of the said complaint, the 2nd respondent District Collector passed an order dated 7.8.2004 suspending the said project of water connections to the villagers temporarily since the authorities found some irregularities. Subsequently, the 2nd respondent passed a revised order dated 4.10.2004 by way of implementation of the order of this Court for the implementation of the scheme. While so, the 3rd respondent passed the impugned order dated 29.10.2004 stating the decision taken in the peace committee. Hence the present Writ Petition.

3. Heard both sides and I have also perused the materials available on record.

4. It is reported that the petitioner is now no more and the said submission is recorded.

5. A perusal of the impugned order reveals that there was a dispute in between the local people and the Panchayat on the ground that water connections were given indiscriminately. Therefore, to solve the said problem, a Peace Committee was conducted and a decision was taken to cancel the reserved list containing 438 persons by suspending the said scheme and decided to start a new Welfare Scheme for providing water connections based on the seniority. I find no infirmity in the above said order.

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6. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

tsi

To

1.The Director of Town Panchayats
Kuralagam, Chennai-600 108.

2.The District Collector,
Virudhunagar District, Virudhunagar.

3.The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.

+1 cc to the Government Pleader sr 68366

W.P.No.33632 of 2004

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