



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

WEB COPY

W.P. (MD) No. 11200 of 2017
and W.M.P. (MD) No. 8593 of 2017

K.Senthurandi

... Petitioner

-vs-

1. The Inspector of Municipalities / District Collector,
Virudhunagar District, Virudhunagar.

2. The Special Officer,
Sattur Municipality,
Sattur, Virudhunagar District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 5.6.2017 submitted to the respondents and restore the water service connection to the petitioner which was illegally disconnected on 9.5.2017 or any other relief as this Hon'ble Court.

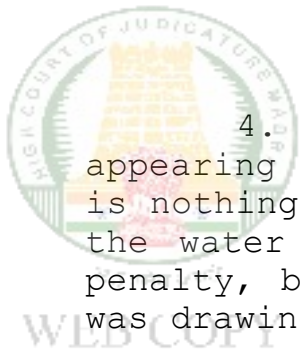
For Petitioner : Mrs.S.Mahalakshmi
For Respondents : Mr.S.Kumar
Addl. Govt. Pleader

ORDER

This writ petition has been filed, seeking a direction to the respondents herein to consider the representation of the petitioner dated 05.06.2017 submitted to the respondents and restore the water service connection to the petitioner, which was illegally disconnected on 09.05.2017.

2. The case of the petitioner is that he retired from TNEB as Assistant Accounts Officer and his electric motor was forcibly seized by the 2nd respondent stating that he was using the motor for drawing drinking water from the municipal water service connection and subsequently, the water service connection was also disconnected on 09.05.2017 by the 2nd respondent. Hence, the petitioner is before this Court with the above prayer.

3. According to the learned counsel for the petitioner, there is no illegal drawal of water by usage of electric motor by the petitioner and the authority concerned, on wrong notion, has disconnected the water service connection with a demand to pay a sum of Rs.20,000/- for re-connection.



4. Per contra, learned Additional Government Pleader appearing for the respondents would vehemently contend that there is nothing wrong on the part of the 2nd respondent in disconnecting the water service connection of the petitioner and imposing the penalty, because, on inspection, it was found that the petitioner was drawing water by using an electric motor illegally.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

6. Considering the rival submissions and in order to give quietus to the issue, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) with the 2nd respondent and on such deposit, the water service connection of the petitioner shall be restored forthwith. It is needless to mention here that after restoration, there is no bar for the 2nd respondent to proceed with in respect of other proceedings, if any, after affording an opportunity of hearing to the petitioner.

7. With the above direction, this petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To:

1. The Inspector of Municipalities / District Collector,
Virudhunagar District, Virudhunagar.
2. The Special Officer,
Sattur Municipality,
Sattur, Virudhunagar District.

+1 CC to M/s.S.MAHALAKSHMI, Advocate, SR No. 65729.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 65674

AR/RM

PSM/MR-KKR/SAR4/21.07.2017/2P/5C

W.P. (MD) No.11200 of 2017
13.07.2017