



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.14110 of 2017

Neelamegam

.. Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Pudhukottai District.

2. The Block Development Officer
(Rural and Panchayat),
Union Office, Karambakudi,
Karambakudi Taluk,
Pudhukottai District.

3. The Assistant Director
(Rural Development and Panchayat),
Collector Office, Pudhukottai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records connected with the order in Na.Ka.Thi.1/1277/2016 dated 24.03.2017 on the file of the second respondent and quash the same as illegal, consequently to direct the second respondent to provide drinking water connection to petitioner's dwelling house in 388/50, A.1, Karumalai Street, Pilaviduthi, Karambakudi Taluk, Pudhukottai District in accordance with law within the time stipulated by this Court.

For Petitioner

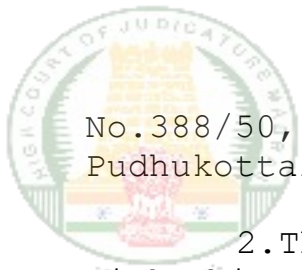
: Mr.R.Alagumani

For Respondents

: Mr.J.Gunaseelan Muthaiah,
Government Advocate.

ORDER

This writ petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned order in Na.Ka.Thi.1/1277/2016, dated 24.03.2017 passed by the second respondent and direct the second respondent to provide drinking water connection to the petitioner's dwelling house, bearing Door



No.388/50, A.1, Karumalai Street, Pilaviduthi, Karambakudi Taluk, Pudhukottai District.

2.The case of the petitioner is that the petitioner along with his family members are residing at Door No.388/50, A.1, Karumalai Street, Pilaviduthi, Karambakudi Taluk, Pudhukottai District. In order to get drinking water connection, he sent representation to the respondents on 04.01.2014. Since the same has not been considered, he filed W.P(MD)No.2438 of 2017, before this Court, wherein this Court, directed the authorities to consider the request of the petitioner. Thereafter, he submitted a representation on 17.03.2017 along with a copy of the order passed in W.P(MD)No.2438 of 2017, to the second respondent. But the second respondent, without considering the same, passed the impugned order dated 24.03.2017, rejecting his claim on the ground of scarcity of water. According to the petitioner, the second respondent has given drinking water connections to some other persons. Challenging the order of the second respondent, the petitioner is before this Court with this writ petition.

3.Heard both sides.

4.This Court, by order, dated 14.02.2017 made in W.P(MD) No.2438 of 2017, directed the respondents 2 and 3 to consider the request of the petitioner for grant of drinking water connection to his house. Pursuant to the same, the impugned order came to be passed, rejecting the request of the petitioner on the ground of shortage of water. The said reason cannot be a ground for straight away rejecting the claim of the petitioner. It is the duty of the respondents to see that some amount of water is being provided to the petitioner so as to comply with the requirements of his day-to-day family affairs and therefore the impugned order is liable to be set aside and accordingly, the impugned order dated 24.03.2017 passed in Na.Ka.Thi.1/1277/2016 by the second respondent is set aside and the matter is remitted back to the second respondent and the second respondent is directed to consider the representation of the petitioner afresh and pass appropriate orders on merits and in accordance with law, after considering the reasonable claim of the petitioner, within a period of four weeks within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of as above. No costs.

Sd-

Assistant Registrar(AE)

/True Copy/



To

1. The District Collector,
Office of the District Collector,
Pudhukottai District.
2. The Block Development Officer
(Rural and Panchayat),
Union Office, Karambakudi,
Karambakudi Taluk,
Pudhukottai District.
3. The Assistant Director
(Rural Development and Panchayat),
Collector Office, Pudhukottai District.

+1cc to Mr.R.Alagumani, Advocate Sr.No.70743
+1cc to The Spl.Government Pleader Sr.No.71344

SMN

VB/KK/SAR2/11/08/2017/3P/6C

**ORDER MADE IN
W.P(MD)No.14110 of 2017
04.08.2017**