



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2017

CORAM:

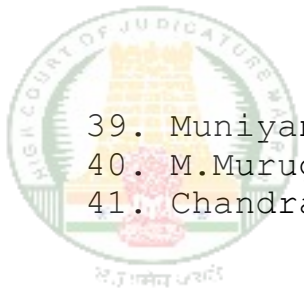
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD) Nos.15811 to 15814 & 17295 of 2017
and W.M.P(MD) Nos.12499 to 12502 & 13847 of 2017

1. N.Murugan	... Petitioner in W.P.(MD) No.15811/2017
2. S.Ushman	... Petitioner in W.P.(MD) No.15812/2017
3. Rokkaiayan Beevi	... Petitioner in W.P.(MD) No.15813/2017
4. Arumugasamy	... Petitioner in W.P.(MD) No.15814/2017

1. Asan Maideen
2. Mahaboo Begum
3. R.Bheer Mohammed Maideen
4. R.Syed Ali Badhusha
5. Allah Mohammed
6. Mohammed Maideen
7. V.M.Abdul Kadher
8. P.M.Abdul Rahman
9. Maideen Abdul Kader
10. M.Nagoor Beevi
11. N.Sheik Sindha Madhar
12. Nabeesha Begum
13. M.A.Mohaideen Kattubhava
14. S.Abdul Rahman
15. M.Sheik Maideen
16. S.Mohammed Yusuf
17. K.S.Kajamaideen
18. Mohammed Sheriff
19. M.Syed Mashood
20. Abhusali
21. Maideen Mithithin Pillai
22. M.Shahul Hameed
23. P.A.Abdul Rahman
24. Ameenul Beevi
25. K.Mohammed Goya
26. M.A.Jaberulla
27. K.M.Sheik Maideen
28. K.M.Rahamadhullah
29. Aisha Pathu
30. A.M.Dhuvaan Sha
31. Aneesh
32. P.Sheik Mansoor
33. E.Arumugam
34. A.Kalayarasan
35. P.Valli
36. P.Ramnikrishnan
37. K.Subbammal
38. R.Seethalakshmi



39. Muniyandi
40. M. Murugan
41. Chandra Balan

... Petitioners in W.P.(MD) No.17295/2017

-vs-

1. The District Collector
Tirunelveli,
Tirunelveli District.

2. The Assistant Director (Panchayat Union),
Tirunelveli.

3. The Executive Engineer,
Rural Water Supply Scheme,
Tamilnadu Water Supply and Drainage Board,
Tirunelveli.

4. The Block Development Officer,
Village Panchayat, Kadayam,
Tirunelveli District.

5. The Special Officer,
Pottalputhur Panchayat,
Kadayam Block,
Tirunelveli District.

... Respondents
(In all the Writ Petitions)

Prayer in W.P.(MD) No.15811 of 2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to regularize drinking water connection granted to petitioner's house situated at 10/110, New Street, Pottalputhur, Ambasamudram Taluk, Tirunelveli District in the light of 1st respondent proceedings dated 18.02.2014 and to receive water tax from the petitioner within the time limit fixed by this Honble Court.

Prayer in W.P.(MD) Nos.15812 of 2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to regularize drinking water connection granted to petitioner's house situated at 7/33, South Street, Pottalputhur, Ambasamudram Taluk, Tirunelveli District in the light of 1st respondent proceedings dated 18.02.2014 and to receive water tax from the petitioner within the time limit fixed by this Honble Court.

Prayer in W.P.(MD) Nos.15813 of 2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to regularize drinking water connection granted to petitioner's house situated at 7/90, South Street, Pottalputhur, Ambasamudram Taluk, Tirunelveli District in the light of 1st respondent proceedings

dated 18.02.2014 and to receive water tax from the petitioner within the time limit fixed by this Honble Court.

Prayer in W.P.(MD) Nos.15814 of 2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to regularize drinking water connection granted to petitioner's house situated at 2/170, Uchi Maahali Amman Temple Street, Pottalputhur, Ambasamudram Taluk, Tirunelveli District in the light of 1st respondent proceedings dated 18.02.2014 and to receive water tax from the petitioner within the time limit fixed by this Honble Court.

Prayer in W.P.(MD) Nos.17295 of 2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to regularize drinking water connection granted to petitioners' houses situated at Pottalputhur, Ambasamudram Taluk, Tirunelveli District in the light of 1st respondent proceedings dated 18.02.2014 and to receive water tax from the petitioner within the time limit fixed by this Honble Court.

For Petitioners	: Mr.AL.Kannan
(In All the Writ Petitions)	
For R1 to R3	: Mr.J.Gunaseelan Muthiah Govt. Advocate (in W.P.(MD) Nos.15811 to 15814/2017) Mr.S.Kumar Addl. Govt. Pleader (in W.P.(MD) No.17295 of 2017)
For R4 & R5	: Mr.M.Rajarajan (in W.P.(MD) Nos.15811 to 15814/2017) Mr.R.Anantharaj (in W.P.(MD) No.17295 of 2017)

C O M M O N O R D E R

These writ petitions have been filed, seeking to regularize the drinking water connections granted to the petitioners' houses in the light of the 1st respondent proceedings dated 18.02.2014.

2. Heard the learned counsel on either side.

3. Since the issue involved in all these writ petitions is one and the same, all these petitions are taken up together for final disposal. For the sake of brevity, the facts are being taken up from W.P.(MD) No.15811 of 2017, in which, the case of the petitioner is that though he had obtained water service connection on payment necessary fee and the respondents 4 and 5 are hastily taking steps to disconnect the same on the ground that the water



connection was obtained in violation of the procedures. Though the petitioner has approached the respondents for regularization of the connection, no action has been taken so far. Aggrieved by the same, the petitioner is before this Court.

4. The learned Government Advocate as well as the learned Additional Government Pleader appearing for R1 & R3 and the learned Standing Counsel for R4 & R5, on instructions, would submit that if necessary connection charges are paid by the petitioners, the water connection will be provided and if the same will not be used for domestic purpose, it will be disconnected by the respondents. In reply to the above, the learned counsel for the petitioners would submit that when the similarly placed persons were favourably considered, the case of the petitioners alone was singled out. However, he would further submit that the petitioners undertake to pay the entire arrears, if any.

5. Recording the undertaking given by the petitioners and taking into consideration the submissions made by the respondents, this Court directs the petitioners to pay the entire arrears as claimed by the respondent Panchayat and also pay the requisite water connection charges so as to continue the usage of the water connection. The respondents, upon receipt of all the amount, shall pass necessary orders with regard to regularization of drinking water service connection, within a period of four weeks from the date of receipt of a copy of this order in terms of the proceedings issued to the similarly placed persons. It is made so clear that the supply of water is only for both residential and drinking purposes and if there is any violation of the said condition, it is always open to the respondents to take appropriate action as per law to disconnect the water service connection.

6. With the above direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector
Tirunelveli,

<https://hcservices.tn.nic.in/> District.



2. The Assistant Director (Panchayat Union),
Tirunelveli.

3. The Executive Engineer,
Rural Water Supply Scheme,
Tamilnadu Water Supply and Drainage Board,
Tirunelveli.

4. The Block Development Officer,
Village Panchayat, Kadayam,
Tirunelveli District.

+1cc to Special Government Pleader, SR.No. 79870, 79843
+5ccs to M/S.AL.Kannan, Advocate SR.No. 79667 to 79671

W.P(MD)Nos.15811 to 15814 & 17295 of 2017
19.09.2017

ar

JM/SKN RSK/SAR 1/22.09.2017/5P/11C