

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13..12..2018
CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.25685 of 2018

G.Ranganathan

... Petitioner

-Versus-

- 1.The Commissioner,
Udumalpet Municipality,
Udumalpet,
Tirupur District.
- 2.The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to take action based on the representation of the petitioner dated 20.08.2018 for supply of drinking water without any interruption by laying proper water pipeline and also lay the drainage line within the time to be stipulated by this court.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.Thambuswamy,
Standing Counsel for
R1

Ms.Ramya Revathi,
Govt. Advocate for R2

ORDER

This writ petition has been filed by the petitioner seeking a writ in the form of mandamus directing the 1st respondent to take action for supply of drinking water without any interruption by laying proper water pipeline and also to take steps for laying drainage line based on his representation of the petitioner dated 20.08.2018.

2. According to the petitioner, he is residing at Door No.14 G.T.V. Layout, Ramasamy Nagar South, Udumalpet, Tiruppur District. On application, he was provided water service connection by the Municipality. But, the supply of water was

very erratic and he was not getting supply of water regularly. Despite repeated demands, the respondent municipality did not heed to the requests of the petitioner. Therefore, he had made a representation on 01.06.2018 to the respondent municipality seeking uninterrupted water supply and also to provide sewage connection to his house. But, there was no response. Hence, he has sent another representation on 20.08.2018. The grievance of the petitioner is that his presentation has not yet been considered favorably by the petitioner. Hence, this writ petition.

3. The 1st respondent filed a counter affidavit contending that already water service connection has been provided to the petitioner and the respondent municipality has been supplying water daily 135 liters of water per capita in the taps to the other houses and whereas the petitioner was supplied with an average of 1188 liters per day during June 2018. The petitioner had applied for additional water service connection and by order dated 05.09.2018, the respondent has also sanctioned the same. However, the petitioner is not ready to accept the water connection as per the plan of the respondent and he is insisting that the ramp of his neighbour to be removed and the Neem Tree standing near his house to be cut to give water connection. The respondent is prepared to give additional water connection without removing the ramp and cutting the tree. So far as the sewage connection is concerned, the respondent municipality has implemented underground sewage system in most of the areas in town. Further, in order to implement the same in narrow streets and extended areas, the respondent municipality has framed a scheme and after getting funds, the scheme will be implemented in the entire area of Udumalpet Town. The respondent municipality is taking steps to implement underground sewage system to all the areas of Udumalpet Town and extended areas. The respondent is supply water regularly. Therefore, the writ petition which is devoid of merits is liable to be dismissed.

4. I have heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent and also perused the records carefully.

5. Considering the fact that the petitioner is already getting water supply from the respondent regularly, he cannot make any allegation that he is not getting water supply regularly. So far as the additional water service connection is concerned, it could be seen from the submission made by the learned standing counsel for the respondents that already the request for additional water service connection has been granted and the laying of pipeline work is getting delayed only because of the hurdles created by the petitioner. It is needless to point out that it is for the respondents to draw line to provide

additional water service connection and the petitioner cannot dictate the terms to them to take the water pipeline according to his wishes. So far as the sewage connection is concerned, now, it is stated by the respondents that a scheme has been framed for providing underground sewage system and steps have been taken to raise funds and as soon as the funds are raised, the scheme will be implemented and sewage connection would be given to the petitioner.

6. Considering the above facts and circumstances, this court is of the view that as the grievance of the petitioner has already been addressed by the respondents substantially, no more further adjudication is required in this writ petition. This writ petition is, therefore, dismissed, however, the respondents are directed to give additional water service connection to the petitioner as per the plan drawn by them within a period of two weeks from the date receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kmk
To

1.The Commissioner, Udumalpet Municipality,
Udumalpet, Tirupur District.

2.The Inspector of Police, Udumalpet Police Station,
Tiruppur District.

+1cc to Mr.N.Umapathi, Advocate, S.R.No.86565

+1cc to Mr.A.S.Thambuswamy, Advocate, S.R.No.87343

सत्यमेव जयते

W.P.No.25685 of 2018

SJ(CO)
GSP(15/02/2019)

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