



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2018

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.5793 of 2018

WEB COPY

Kalaiselvam

... Petitioner

-Vs-

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Block Development Officer,
Ilayankudi,
Ilayankudi Taluk,
Sivagangai District.

3. The Special Tahsildar,
Nagamugunthankudi Panchayat,
Nagamugunthankudi,
Ilayankudi Taluk,
Sivagangai District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to accept the required deposit amount and provide separate drinking water connection to the petitioner household at Door No.296-A Puthukulam, Nagamugunthankudi, Nagamunthankudi Post, Ilayankudi Taluk, Sivagangai District on the basis of representation, dated 07.09.2015.

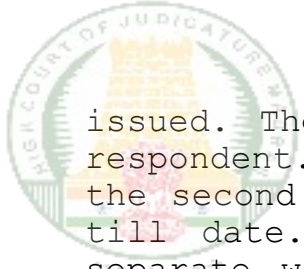
For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.CM.Mari Chelliah Prabhu
Additional Government Pleader

ORDER

The petitioner has sought for writ of mandamus directing the respondents to give a separate drinking water connection to her house in Door No.296-A, Puthukulam, Nagamugunthankudi, Nagamunthankudi Post, Ilayankudi Taluk, Sivagangai District based on his representation dated 07.09.2015.

2.The petitioner submits that she is residing in the above said address along with her family and she sought for separate drinking water connection to her house. Since she is not able to see properly, she could not walk far away for taking drinking water to fulfill her family needs. On a grievance day, she submitted an application, dated 07.09.2015 and the receipt IN/15/07954 was also



issued. The first respondent forwarded the petition to the second respondent. Though the petitioner approached the second respondent, the second respondent has not considered the case of the petitioner till date. She said that there are 62 houses have been given separate water connections in the locality excluding common water tap connections. The petitioner would further contend that the respondents have given separate water connections to tea stall and they have also three connections to one Krishnan Thevar. But, they have discriminated the petitioner alone.

4.The learned Additional Government pleader on instructions would submit that there is a water scarcity in the said area and hence, the respondents are taking action for disconnecting the individual water connections given to the house hold persons in that area. The petitioner was also informed about the shortage of water and assured that when there is sufficient water available they will give new water connections to necessary persons who have applied. He would also further submit that the petitioner's house is only 10 metres away from the existing common water connection and the petitioner can fetch water from that place.

5.It is made clear from the instructions given by the Block Development Officer, dated 11.11.2018 that as per the orders of the District Collector house hold connections are being disconnected and only common water taps are provided for drinking water to the general public. If really there is water shortage, while implementing the order of the Collector, all the water connections given to the individual houses have to be monitored and checked and if there is any violation, those lines should be removed. All public should be treated as equal and before passing any order, they are also to be called for an enquiry and then issue necessary order regarding the disconnection of water. The petitioner's case shall be considered as soon as Panchayat gets sufficient water.

6.Accordingly, this writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The District Collector, Sivagangai District,
Sivagangai.

2. The Block Development Officer, Ilayankudi,
Ilayankudi Taluk, Sivagangai District.



3. The Special Tahsildar, Nagamugunthankudi Panchayat,
Nagamugunthankudi, Ilayankudi Taluk,
Sivagangai District.

WEB COPY

+1cc to Mr.T.Indrachithu,Advocate Sr.No.95572

TM

KM/RSK/SAR3/06.12.2018/3P/5C

W.P. (MD) No.5793 of 2018
13.11.2018