



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.05.2018

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE M.V.MURALIDARAN

W.P. (MD) No.11735 of 2018

Rajaiah

.. Petitioner

VS

1. The District Collector,
District Collector Office,
Virudhunagar District,
Virudhunagar.

2. The Deivendhiri Village Panchayath,
Represented by Special Officer cum Block Development Officer,
Srivilliputhur,
Block Development Office, Srivilliputhur,
Virudhunagar District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the Respondent No.2 to provide separate water supply connection to the Petitioner's house situated in Door No:2/105, Keelatheru Street Post, Athikulam Village, Athikulam Post, Srivilliputhur Taluk, Virudhunagar District based on the Petitioner's representation dated 26.02.2018 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.N.Shanmugaselvam(for R1)
Additional Govt. Pleader
Mr.J.Gunaseelan Muthiah(for R2)
Additional Govt. Pleader

ORDER

The instant Writ Petition is filed by the petitioner seeking for a direction against the 2nd respondent to provide separate water supply connection to the petitioner's house situated in D.No:2/105, Keelatheru Street Post, Athikulam village and post, Srivilliputhur Taluk, Virudhunagar District based on the representation of the petitioner dated 26.02.2018.



2.I heard Mr.M.Thirunavukkarasu, learned counsel for the petitioner and Mr.N.Shanmugaselvam, learned Additional Government Pleader for the 1st respondent and Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader for the 2nd respondent and perused the entire materials available on record.

WEB COPY

3.Considering the fact that the petitioner had water connection to his house before bifurcation of the 2nd respondent Panchayat and to show the same the petitioner has produced payment of receipt for water tax. After bifurcation of the Panchayat, despite several representations by the petitioner, the 2nd respondent Panchayat failed to consider his grievance. The fact remain that the petitioner is an aged person living with his wife and mentally challenged son. Therefore, nothing wrong in giving water supply connection to the petitioner so as to enable him to get water supply to his house and in such circumstances, the 2nd respondent Panchayat is entitled to collect water tax from the petitioner.

4.In view of the above narration, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 26.02.2018 positively in the light of the observation made above within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collector Office,
Virudhunagar District,
Virudhunagar.

2. The Special Officer cum Block Development Officer,
Block Development Office, Srivilliputhur,
Virudhunagar District.

+ 1 cc TO Mr.J.Gunaseelan Muthiah , Advocate in SR No. 66470
+ 1 cc TO Mr.M.Thirunavukkarasu , Advocate in SR No. 66336

VSV

AE/SKN RSK/SAR2/05.06.2018/2P/5C