

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2019

CORAM :

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.2594 of 2019

M.Kuppusamy

..Petitioner

Vs.

1. The District Collector,
Salem District,
Salem.
 2. The Block Development officer,
Peddhanaickenpalayam Panchayat Union,
Peddhanaickenpalayam,
Salem District.
 3. Kottavadi Village Panchayat
Rep. By its Executive Officer/President,
Kottavadi, Peddhanaickenpalayam Taluk,
Salem District.
- ..Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to restore the Water Service connection provided to the petitioner's house situated at Door No.302, Therku Kaadu, Kottavadi Post, Peddhanaicken palayam Taluk, Salem District within a reasonable time to be fixed by this Court and to receive the water charges from the petitioner periodically in respect of the said water service connection, without any interruption in his continuous usage.

For Petitioner : Mr.R.Neelakandan
For Respondent No.1 : Mr.B.Anand, G.A.
For Respondents 2 & 3 : Mr.B.Jothikumar, A.G.P.

O R D E R

According to the petitioner, the third respondent has provided drinking water service connection to the petitioner's house by collecting necessary charges in the year 2006. Suddenly, the third respondent disconnected the water service connection provided to the petitioner's house. According to the

petitioner, the petitioner has not misused the water connection, it is only used by the family members of the petitioner. Without providing an opportunity to the petitioner, the third respondent has disconnected the water service connection provided to the petitioner's house. Hence, the petitioner made a representation to the third respondent on 15.10.2018. However, no response received from the third respondent. Therefore, the petitioner has filed the present writ petition before this Court.

2. The learned counsel appearing for the respondents 2 and 3 would submit that water service connection provided to the petitioner was disconnected for the reason that the petitioner has illegally extended the water pipeline to inside his house. The third respondent Panchayat will provide water service connection in front of the petitioner's house, provided the petitioner submit an undertaking affidavit that he will not resort to such illegal drawing of water, before the authority concerned and on payment of necessary charges.

3. Recording the submission made by the learned counsel appearing for the the respondents 2 and 3, the writ petition is disposed of by directing the petitioner to comply with the conditions insisted upon by the respondents as stated in earlier paragraph and in the event of compliance of the said conditions, third respondent is directed to provide water service connection to the petitioner's house.

4. With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vaan

To

1. The District Collector,
Salem District, Salem.
2. The Block Development officer,
Peddhanaickenpalayam Panchayat Union,
Peddhanaickenpalayam, Salem District.

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3. The Executive Officer/President,
Kottavadi Village Panchayat,
Kottavadi, Peddhanaickenpalayam Taluk, Salem District.

+1 cc to Mr.R.Neelakandan, Advocate Sr.No.15933

+1 cc to The Government Pleader, Advocate Sr.No.16652

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CSL/28.06.2019



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