



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN**and****THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.16213 of 2019

M.Arunachalam

... Petitioner

Vs.

- 1.The Director of Town Panchayat,
Kuralagam, I Floor,
Chennai - 108.
- 2.The District Collector,
Theni District,
Theni.
- 3.The Director,
Vigilance and Anti-Corruption,
293, MKN Salai, Alanthur,
Chennai - 16.
- 4.The Assistant Director of Town Panchayat,
Theni.
- 5.The Executive Officer,
Aundipatti Town Panchayat,
Theni District.
- 6.K.Balasubramanian

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner and general public of Aundipatti Town Panchayat dated 04.07.2019 and on that basis to conduct an enquiry and take necessary action against the erring officials of the 4th and 5th respondents office those who are involving the malpractice and irregularities in distribution of water supply at Aundipatti Town Panchayat and consequently direct the respondents 1, 2, 4 and 5 to ensure proper and adequate water supply to the general public at Aundipatti Town Panchayat, Theni District.

For Petitioner

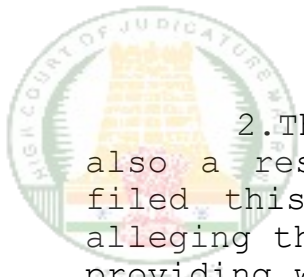
: Mr.V.Thirumal

For Respondents 1 to 5

: Mr.A.K.Baskarapandian,
Additional Government Pleader

O R D E R

(Order of the Court was made by **M.SATHYANARAYANAN, J.**)



2.The petitioner claims to be a public interest litigant and also a resident of Sakkampatti, Aundipatti Taluk, Theni District filed this Writ Petition styled as "Public Interest Litigation" alleging that the 6th respondent K.Balasubramanian is responsible for providing water connection to big commercial establishments so as to enable them to draw water for almost 24 hours per day, whereas water is supplied to the general public once in 20 days.

3.The learned counsel appearing for the petitioner also drawn the attention of this Court to the information furnished by the Public Relation Officer/5th respondent in Na.Ka.No.789/2018 dated 14.09.2018, to the petitioner and would submit that the said respondent after collecting fine or penalty regularising such irregularities and also further drawn the attention of this Court to the raid conducted by the Department of Vigilance and Anti-Corruption on 02.11.2018 in the office of the Assistant Director, Theni District and recovery of money and would submit that since rampant kind of illegality is going on, a representation dated 04.07.2019 was submitted to the respondents and despite receipt and acknowledgment of the same, no action has been taken and therefore, the petitioner is constrained to file this Writ Petition.

4.Mr.A.K.Baskarapandian, learned Special Government Pleader accepts notice on behalf of respondents 1 to 5.

5.Though the petitioner prays for a larger relief, this Court, in the light of the above submissions, without going into the merits of the case projected either in the affidavit filed in support of the Writ Petition or in the representation, directs the first respondent to consider and dispose of the representation of the petitioner dated 04.07.2019 on merits and in accordance with law after eliciting response from the respondents 4 and 5 and pass appropriate orders within a period of 6 weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the persons concerned.

6.The Writ Petition is disposed of with the above directions. No costs. Call on 03.09.2019 for filing affidavit of compliance/action taken report with supporting documents by the first respondent.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1.The Director of Town Panchayat,
<https://hcservices.ecourts.gov.in/hcservices/>
Kuralagan, 1 Floor,
Chennai - 108.



2.The District Collector,
Theni District,
Theni.

3.The Director,
Vigilance and Anti-Corruption,
293, MKN Salai, Alanthur,
Chennai - 16.

4.The Assistant Director of Town Panchayat,
Theni.

5.The Executive Officer,
Aundipatti Town Panchayat,
Theni District.

+1 CC to M/s.V.THIRUMAL, Advocate (SR-76681[F] dated 22/07/2019)

+1 CC to M/s.SPL GP (SR-76837[F] dated 23/07/2019)

W.P (MD) No.16213 of 2019
22.07.2019

SJ
JM/30.07.2019/3P-8C