

N.ANAND VENKATESH, J.

Today the matter has been posted under the caption 'for being mentioned'.

2.It is brought to the notice of this Court that an impleading petition was filed in WMP No. 17856 of 2020 and it was also ordered by this Court on 12.10.2020 and the impleading petitioner was added as the 3rd respondent in this writ petition.

3.The learned counsel appearing on behalf of the impleaded 3rd respondent submitted that she had purchased 1/4th share in the Well situated at Survey No.532/3A from the wife of the writ petitioner. The learned counsel submitted that by virtue of the orders passed in this writ petition, the writ petitioner has virtually transferred the service connection from the Well situated in Survey No.532/3A to the Well situated in Survey No.508/2 and thereby there is no service connection for the Well situated at Survey No. 532/3A. The learned counsel therefore submitted that the impleaded 3rd respondent inspite of having 1/4th share has now been deprived of a service connection in the Well.

4.The learned counsel for the petitioner submitted that pursuant to the orders passed by this Court, the official respondents have transferred the service connection in the name of the petitioner with respect to the Well situated at Survey No.508/2. The learned counsel further submitted that the petitioner never objected to the 3rd respondent drawing water from the Well situated at Survey No.532/3A. Therefore, the learned counsel submitted that

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the 3rd respondent cannot have any grievance in the service connection granted to the petitioner for the Well in Survey No.508/2 and admittedly the 3rd respondent does not have any right over this Well.

5.In view of the specific stand taken by either side, liberty is granted to the impleaded 3rd respondent to make an individual application before respondents 1 and 2 seeking for service connection for the Well in Survey No.532/3A based on the title documents. The 1st and 2nd respondents shall consider the same and grant service connection in the name of the impleaded 3rd respondent in proportion to the right of the 3rd respondent in the Well situated at Survey No.532/3A. On such service connection being given, the impleaded 3rd respondent can continue to draw the water from the Well.

6.This clarity will sufficiently safeguard the rights of the petitioner as well as the impleaded 3rd respondent. This order shall be incorporated in the earlier order passed on 12.10.2020 and a fresh copy shall be issued to the respective counsel.

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W.P.No.12491 of 2020