



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02.06.2020

CORAM :

THE HONOURABLE **MR.JUSTICE C.V.KARTHIKEYAN**

W.P(MD).No.6309 of 2020

and

W.M.P(MD) No.5535 of 2020

WEB COPY

Vijayalakshmi

... Petitioner

Vs.

- 1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai-600 009.
- 2.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
- 3.The Regional Director of Municipalities,
No.1, Ayya Street, Near Kodimarathu Moolai,
Thanjavur.
- 4.The Commissioner,
Thuraiyur Municipality,
Thuraiyur-621010,
Tiruchirappalli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent pertaining to the demand notice for water taxes dated 13.08.2019 and quash the same as far as the demand for the period from July 2009 to January 2016 and direct the fourth respondent to restore water connection bearing number 087/019/00082 to the petitioner's residence and render justice.

For Petitioner : Mr.T.M.Madasamy

For R-1 to R-3 : Mrs.J.Padmavathi Devi
Special Government Pleader

For R-4 : Mr.M.Rajarajan,
Standing counsel



ORDER

The writ petition has been filed by Mrs.Vijayalakshmi, W/o.Sangapillai, residing at Thuraiyur, Tiruchirappalli District in the nature of a certiorarified mandamus, calling for the records of the fourth respondent, namely, the Commissioner, Thuraiyur Municipality, pertaining to the demand notice for water taxes dated 13.08.2019 and to set aside the same.

2.In the affidavit filed in support of the writ petition, the petitioner has stated that she had applied for water connection to her residence at No.19/49E, Maruthi Nagar, Malayappansalai-2, Thuraiyur-621 010, Tiruchirappalli District, during the year 2007. Water connection was provided from 23.01.2009 till 30.06.2009.

3.It is the claim of the petitioner that from 01.07.2009 till 30.01.2016, the fourth respondent, namely, the Commissioner, Thuraiyur Municipality, had not supplied the water to her residence. The petitioner claims that she had sent several representations seeking supply of water. In the meanwhile, from February 2016 onwards, the fourth respondent commenced to supply the water. However, the impugned notice was issued on 13.08.2019, calling upon the petitioner to pay the water taxes for the period from 2008-2009 to 2019-2020. The total amount demanded was Rs.10,800/-. The petitioner had paid a sum of Rs.4,480/-. The balance due as on date is Rs.6,320/-. By virtue of the impugned notice, the water supply to the petitioner had been cut.

4.Heard Mrs.J.Padmavathi Devi, learned Special Government Pleader, who had taken notice for the respondents 1 and 2 and Mr.M.Rajarajan, learned Standing Counsel, who had taken notice for the fourth respondent.

5.The learned Standing Counsel for the fourth respondent stated that it is imperative that the petitioner pays the amount and further stated that a sum of Rs.6,320/- is due and payable by the petitioner.

6.The learned counsel for the petitioner thereafter, stated that some concession can be given to permit the petitioner to pay the amount in installments, since, in view of the present situation, wherein, all profitable ventures have come to a standstill and the petitioner is not able to pay the entire amount in one lumpsum.

7.In view of this representation, without going further into the facts, the petitioner is permitted to pay the sum of Rs.6,320/- in six equal monthly installments. The first installment is to be paid on or before 15.07.2020. On payment of the first installment, the respondents are directed to restore the water supply. The petitioner may also file an affidavit before the fourth respondent, stating that she will pay the entire balance of Rs.6,320/- in six equal

monthly installments with each monthly installment to be paid on or before 15th of every successive month according to the English calender and the first installment is to be paid on or before 15.07.2020. If there is any default in the payment of the monthly installments, the respondents are at liberty to take any further action in accordance with law.

8.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)

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Sub Assistant Registrar(CS)

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To:-

- 1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
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- 2.The District Collector,
Tiruchirappalli District, Tiruchirappalli.
- 3.The Regional Director of Municipalities,
No.1, Ayya Street, Near Kodimarathu Moolai,
Thanjavur.
- 4.The Commissioner,
Thuraiyur Municipality,
Thuraiyur, Trichy district.

+1 CC to M/s.T.M.MADASAMY, Advocate (SR-13030[F] dated 02/06/2020)

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02.06.2020

KB(09.06.2020) 3P 6C