



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.12442 of 2020
(Through Video Conference)

WEB COPY

C.Ramamoorthy

... Petitioner

Vs

1) The District Collector,
Virudhunagar District,
Virudhunagar.

2) The Assistant Director of Panchayats,
Virudhunagar District,
Virudhunagar.

3) The Commissioner / Block Development Officer,
Sattur Panchayat Union,
Sattur, Virudhunagar District.

4) Mrs.Sakkammal

5) Mr.Chellaperumal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to direct the 4th and 5th respondents to reconnect the potable water connection to the petitioner's house bearing Door No.4/286, Koppayanayakanpatti, Pappakudi Village Panchayat, Sattur Taluk, Virudhunagar District by considering his representation dated 21.08.2020.

For Petitioner : Mr.M.Solaisamy

For RR 1 & 2 : Mr.C.Ramar,
Additional Government Pleader

For RR 3,4 & 5 : Mr.M.Muniasamy

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to direct the respondents 4 & 5 to reconnect the potable water connection to the petitioner's house bearing Door No.4/286, Koppayanayakanpatti, Pappakudi Village Panchayat, Sattur Taluk, Virudhunagar District by considering his representation dated 21.08.2020.

2. Mr.C.Ramar, learned Additional Government Pleader accepts notice for the respondents 1 & 2 and Mr.M.Muniasamy, learned counsel accepts notice for respondents 3, 4 and 5. By consent of both sides,



this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the case of the petitioner that the fourth respondent was elected as the Panchayat President for Pappakudi Village Panchayat, Sattur Taluk, Virudhunagar District and she took charge in the month of January 2020. It is also the case of the petitioner that the fifth respondent took charge as the Secretary of Pappakudi Village Panchayat and after taking charge, he showed enmity to the people who did not cast their votes to the fourth respondent.

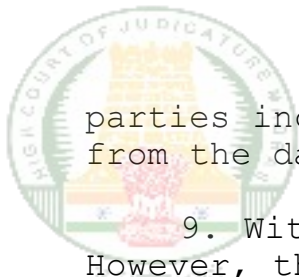
4. It is the further case of the petitioner that the respondents 4 & 5 disconnected the water connections of people, who did not vote for the fifth respondent during the Panchayat Elections. It is the case of the petitioner that the petitioner's water connection for his house at Door No.4/286, Koppayanayakkanpatti, Pappakudi Village Panchayat, Sattur Taluk, Virudhunagar District was also disconnected by the respondents 4 & 5 on 01.08.2020. According to the petitioner, he gave a representation on 21.08.2020 to the respondents 1 to 3 to restore his water connection. But till date, the said representation of the petitioner has not been considered by the respondents 1 to 3. In such circumstances, this writ petition has been filed.

5. Heard Mr.M.Solaisamy, learned counsel for the petitioner and Mr.C.Ramar, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.M.Muniasamy, learned counsel appearing for the respondents 3, 4 & 5.

6. The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to any of the respondents if the relief sought for by the petitioner is granted by this Court.

7. It is his case that the water connection has been illegally disconnected at Door No.4/286, Koppayanayakkanpatti, Pappakudi Village Panchayat, Sattur Taluk, Virudhunagar District. It is his case that only due to enmity against the people who did not cast votes to the fourth respondent in the Village Panchayat election, water connection was disconnected to them, which includes the petitioner. He has given a representation on 21.08.2020 to the respondents 1 to 3 for restoration of his water connection. Admittedly, till date, the said representation has not been considered by the respondents 1 to 3 on merits and in accordance with law.

8. For the forgoing reasons, this Court directs the third respondent to consider the petitioner's representation dated 21.08.2020 seeking for restoration of his water connection to his house at Door No.4/286, Koppayanayakkanpatti, Pappakudi Village Panchayat, Sattur Taluk, Virudhunagar District and pass final orders in accordance with law after hearing all the necessary



parties including the respondents 4 & 5 within a period of six weeks from the date of receipt of a copy of this order.

9. With these directions, the writ petition stands disposed of. However, there shall be no order as to costs.

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Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

- 1) The District Collector,
Virudhunagar District,
Virudhunagar.
- 2) The Assistant Director of Panchayats,
Virudhunagar District,
Virudhunagar.
- 3) The Commissioner / Block Development Officer,
Sattur Panchayat Union,
Sattur, Virudhunagar District.

+1 CC to M/s.GP (SR-22677[F] dated 24/11/2020)

Order made in
W.P. (MD) No.12442 of 2020

Dated:
23.11.2020

MJ(CO)

AP(18/12/2020) 3P 5C