



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2020

CORAM

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P. (MD)No.14196 of 2020

Alagarsami

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Assistant Director of Panchayat,
Union Office, Dindigul, Dindigul District.

3.The Block Development Officer,
Villagekujiliamparai Taluk,
Dindigul District.

4.The President,
Madur Panchayat,
Pugailaipatti,
Madur Village,
Dindigul East Taluk, Dindigul District.

5.Soosaimanickam

6.Mayakrishnan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 3 to initiate necessary action by directing 4th respondent to restore petitioner's water connection No.277(D.No.4-53) at Pugailaipatti, Madur Village, Dindigul East Taluk, Dindigul District disconnected by the 4th respondent without prior notice based on the petitioner's representation dated 03.10.2020.

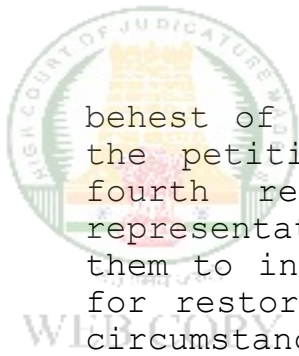
For Petitioner	: Mr.S.Sarvagan Prabhu
For R1 to R3	: Mr.C.Ramesh, Special Government Pleader.
For R6	: Mr.A.Hariharan

ORDER

(This petition was heard through video conferencing)

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to initiate necessary action by directing the fourth respondent to restore petitioner's water connection No.277(D.No.4-53) at Pugailaipatti, Madur Village, Dindigul East Taluk, Dindigul District, based on the petitioner's representation dated 03.10.2020.

2.It is the case of the petitioner that he is the owner of the aforementioned property. According to him, water connection in his property was illegally disconnected by the fourth respondent at the



behest of the fifth and sixth respondents. It is also the case of the petitioner that the fifth respondent is the husband of the fourth respondent. In such circumstances, he has given a representation to the respondents 1 to 3 on 03.10.2020 requesting them to initiate necessary action against the fourth respondent and for restoration of his water connection in his property. In such circumstances, this writ petition has been filed.

3.The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to any of the respondents if the representation of the petitioner seeking restoration of water connection is considered on merits and in accordance with law, after hearing necessary parties.

4.The learned counsel appearing for the sixth respondent seeks time to file counter in this writ petition. According to him, he has been unnecessarily dragged by the petitioner in this writ petition. He would submit that the sixth respondent has been falsely implicated by the petitioner, who has lodged a Police complaint against the sixth respondent. Lodging of the police complaint against the sixth respondent by the petitioner, has nothing to do with the issue, which is the subject matter of this writ petition.

5.The petitioner only seeks for restoration of water connection in his property. However, all the necessary parties with regard to the representation of the petitioner, will have to be heard before passing final orders on the petitioner's representation.

6.For the forgoing reasons, this Court directs the second respondent to consider the petitioner's representation, dated 03.10.2020 seeking for restoration of his water connection No.277 (D.No.4-53) in his property at Pugailaipatti, Madur Village, Dindigul East Taluk, Dindigul District and also for initiating legal action against the fourth respondent for the alleged illegality committed by the fourth respondent in disconnecting the water connection to the petitioner and pass final orders, on merits and in accordance with law, after hearing all the necessary parties including fifth and sixth respondents, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

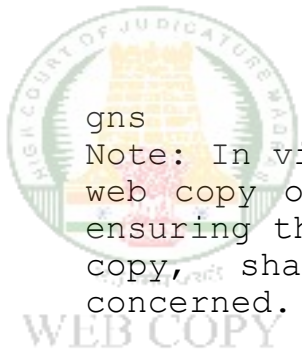
Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



gns

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,
Dindigul District, Dindigul.
- 2.The Assistant Director of Panchayat,
Union Office, Dindigul, Dindigul District.
- 3.The Block Development Officer,
Villagekujiliamparai Taluk,
Dindigul District.

W.P. (MD) No.14196 of 2020
18.11.2020

MA (CO)
KB (26.11.2020) 3P 4C