



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.14378 of 2020

Chinnasamy

... Petitioner

Vs

1. The District Collector,
Dindigul District,
Dindigul.
2. The Executive Officer,
Sri Ramapuram Town Panchayat,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to provide water service connection to the petitioner's residential house situated at No.16, Amman Sannathi Street, Thirumalai Rayapuram, Sri Ramapuram Post, Dindigul District, by considering the application of the petitioner dated 20.02.2019, within the time as may be fixed by this Court.

For Petitioner : Mr.G.Aravinthan

For R-1 : Mr.M.Rajarajan
Additional Government Pleader

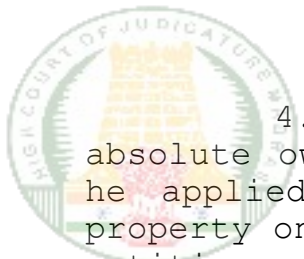
For R-2 : Ms.Lakshmi Prasanna,
Government Advocate

ORDER

This writ petition has been filed for a Mandamus, seeking for a direction to the second respondent to provide water service connection to the petitioner's residential house situated at No.16, Amman Sannathi Street, Thirumalai Rayapuram, Sri Ramapuram Post, Dindigul District, by considering the petitioner's application, dated 20.02.2019.

2. Heard Mr.G.Aravinthan, learned counsel appearing for the petitioner, Mr.M.Rajarajan, learned Additional Government Pleader appearing for the first respondent and Ms.Lakshmi Prasanna, learned Government Advocate appearing for the second respondent.

3. By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.



4. It is the contention of the petitioner that he is the absolute owner of the afore-mentioned property. According to him, he applied for water service connection for the above-mentioned property on 20.02.2019 with the second respondent. According to the petitioner, he also deposited a sum of Rs.7,000/- towards necessary charges for getting the water service connection. Thereafter, the petitioner has also sent a reminder on 17.02.2020, to the respondents, since the application, dated 20.02.2019, was not considered.

5. It is submitted by the petitioner that orally he was informed that the property for which water service connection is sought for by the petitioner, is the subject matter property in a Second Appeal in S.A.No.341 of 2018, which is pending on the file of this Court. But, it is contended by the petitioner that the property involved in the Second Appeal in S.A.No.341 of 2018, is different from the property, for which the petitioner is seeking water service connection from the second respondent. In such circumstances, the said petition has been filed.

6. The petitioner in this writ petition has sought only for a Mandamus to consider his application, dated 20.02.2019, seeking for water service connection. No positive direction has been sought for by the writ petitioner in the present writ petition. Hence, the relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondents, if the application, dated 20.02.2019, submitted by the petitioner for water service connection to his residential house, is considered on merits and in accordance with law.

7. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's application, dated 20.02.2019, seeking for water service connection to his residential house situated at No.16, Amman Sannathi Street, Thirumalai Rayapuram, Sri Ramapuram Post, Dindigul District, and pass final orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition stands disposed of. No costs.

Sd/-

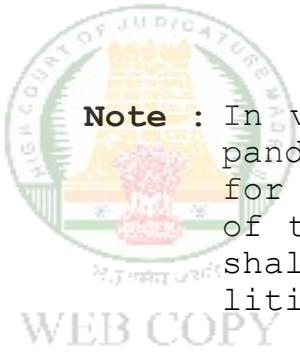
Assistant Registrar (CS-III)

// True Copy //

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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,
Dindigul District,
Dindigul.
2. The Executive Officer,
Sri Ramapuram Town Panchayat,
Dindigul District.

+1 CC to the SPL GP (SR-20166[F] dated 15/10/2020)

W.P. (MD) No.14378 of 2020
14.10.2020

KMV(CO)
CS(22.10.2020) 3P 4C