



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.01.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont.P.(MD)No.1464 of 2019

S.Perumal ... Petitioner/Petitioner

-vs-

1.Rajasekar, I.A.S.,
The District Collector,
Collectorate, Madurai District.

2.Chellathurai
The Assistant Director of Panchayat, Madurai-20.

(R1 and R2 were deleted vide Court
order dated 11.11.2019.)

3.Balakrishnan
The Block Development Officer,
Usilampatti Panchayat Union,
Usilampatti, Madurai District.

4.Jeyaraman,
The Executive Officer of Panchayat,
Usilampatti, Madurai District.

5.Ravindran,
Executive Engineer of TWAD Board,
Madurai District.

(R5 was suo motu impleaded vide
Court order dated 09.12.2019) ... Contemnors/Respondents

PRAYER: Petition filed under Section 11 of Contempt of Courts Act to punish the respondents herein for his willful disobedience of the order passed by this Court dated 29.04.2019 in W.M.P.(MD)No.8224 of 2019 in W.P.(MD)No.10779 of 2019.

Prayer in WMP(MD) . 8224/ 2019 :

To pass an order of Interim Injunction restraining the respondent No. 4 from disconnecting the water pipe line connection service No. 107 of the petitioners house situated at S.Puupatti, Sillampatti, Usilampatti, Madurai, till the disposal of the above WP and thus render justice.



Prayer in WP(MD) . 10779/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, forbearing the respondent No.4 from disconnecting the water pipe line connection in service No. 107 of the petitioners house situated at S.Pudupatti, Sillampatti, Usilampatti, Madurai.

For Petitioner: Mr.R.Jenifar Bibin
For R3 and R4 : Mr.M.Rajarajan
Government Advocate(Crl.side)
For R5 : Mrs.Porkodi Karnan

O R D E R

The petitioner's grievance is that the local body has acted in controvention of the interim order granted by this Court.

2.When the matter was taken up for hearing, it transpired that TWAD Board has effected disconnection of the water supply to the petitioner's house. The TWAD Board was made a party to this Petition and its written response was also sought.

3.Today, when the matter was taken up for hearing, the learned standing counsel for the TWAD Board pointed out that the TWAD Board will supply water only to the local body and that it is for the local body concerned to supply to the individual houses. But in the case on hand, the petitioner had drawn the line directly from the TWAD. That is why they had effected disconnection. The learned standing counsel pointed out that the TWAD Board is not a party in the main writ petition.

4.Since, some factual points have been raised contesting the petitioner's allegation, I am of the view that contempt is not made out. It is for the petitioner to implead TWAD Board in the main petition and work out his remedy accordingly. It is made clear that I have not adjudicated anything on merits in this Contempt Petition. Giving liberty to the petitioner to implead the TWAD Board in the main writ petition, this Contempt petition is closed.

Sd/-

Assistant Registrar (writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1. The Block Development Officer,
Usilampatti Panchayat Union,
Usilampatti, Madurai District.

2. The Executive Officer of Panchayat,
Usilampatti, Madurai District.

3. The Executive Engineer of TWAD Board,
Madurai District.

+1 CC to Mr.PORKODI KARNAN, Advocate (SR-2492[F] dated 22/01/2020)

+1 CC to SPL.GP (SR-2592[F] dated 23/01/2020)

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22.01.2020

MK (07.02.2020) 3P 6C