

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.04.2021
CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P. No. 22778 of 2019

Rose Mary

...Petitioner

Vs.

1. The District Collector
Cuddalore District
Cuddalore - 1.

2. The Commissioner
Virudhachalam Municipality
Virudhachalam Town & Taluk
Cuddalore District - 606 001.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Second Respondent to consider the Petitioner's representation dated 10.06.2019 to provide water connection to the Petitioner's house situated at No.160, Veerapandian Street, Virudhachalam Municipality within a stipulated period.

For Petitioner : Mr. G.Anabayachozhan
For Respondents : Mr. D.Venkatesan
Government Advocate (For R1)
Mr. P.Srinivas (For R2)

ORDER

By consent, the writ petition is taken up for final disposal at the time of admission itself.

2.This Writ Petition has been filed for a direction to the Second Respondent to consider the Petitioner's representation dated 10.06.2019 and to provide water connection to her house situated at No.160, Veerapandian Street, Virudhachalam Municipality.

3.It is the case of the Petitioner that she and her two daughters are the owners of the property at No.160, Veerapandian Street, Virudhachalam Town and Taluk, Cuddalore District and are living therein by putting up thatched house. In order to grab the subject property, some private parties along with the second respondent attempted to demolish the house, which compelled the petitioner to institute a suit in O.S. No. 173 of 2004 before the learned Principal District Munsif, Virudhachalam, for declaration and mandatory injunction. By judgment and decree

dated 04.04.2019, the said suit was decreed in favour of the petitioner. Thereafter, she approached the second respondent and requested to provide water connection to the subject property. Finding no response, she submitted a representation dated 10.06.2019 to the first respondent, who intun forwarded the same to the second respondent for action. However, till date, no steps have been taken on the said representation. Therefore, the petitioner is before this Court with this writ petition.

4.Heard Mr.G.Anabayachozhan, Learned Counsel for the Petitioner and Mr.D.Venkatesan, Learned Government Advocate who takes notice for the first Respondent and Mr.P.Srinivas, Learned Counsel takes notice for the second Respondent.

5.Considering the flimited relief sought in this writ petition, this Court directs the second respondent to consider the petitioner's representation dated 10.06.2019 pertaining to providing water connection and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as any other interested parties, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Maya

To

1. The District Collector
Cuddalore District
Cuddalore - 1.

2. The Commissioner
Virudhachalam Municipality
Virudhachalam Town & Taluk
Cuddalore District - 606 001.

+1 cc to Mr.G.Anabaya Chozhan, Advocate, SR.No.22072
+1 cc to Government Pleader, SR.No.22489

W.P. No. 22778 of 2019

GPL (CO)
NS (17/05/2021)