



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.7679 of 2021
(Through Video Conferencing)

S.Divathai

... Petitioner

Vs.

1.The Commissioner
Kadayanallur Municipality
Kadayanallur,Tenkasi District.

2.The Fitter,
Kadayanallur Municipality
Kadayanallur,Tenkasi District.

3.Khaja
The Fitter,
Kadayanallur Municipality
Kadayanallur, Tenkasi District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to direct the 2nd respondent to provide drinking water connection to the petitioner's premises in Door No.110/H1/Railway Feeder Road, Puliampatti, Krishnapuram, Kadayanallur, Tenkasi District - 627 751 as per the order of the 1st respondent in 141/001/2/20-21/0002513 dated 23.12.2020 without any delay and for such other reliefs.

For Petitioner :Mr.A.Haja Mohideen
For Respondents :Mr.M.Rajarajan for R1 & R2
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to act upon the application submitted by the petitioner, who is seeking for providing drinking water connection to her premises.



2.The case of the petitioner is that the subject property was settled in her favour by her husband through a registered settlement deed dated 14.12.2017. The petitioner has also constructed a house in the said property and it is also assessed to property tax. The electricity service connection has also been given in the name of the petitioner.

3. The petitioner applied for drinking water connection on 06.10.2018 before the first respondent. The petitioner also paid necessary registration fees. The first respondent, on receipt of the application, directed the officials to conduct the spot inspection and after the inspection was conducted, the petitioner was directed to pay a sum of Rs.13,356/- as deposit amount and the petitioner also deposited this amount on 23.12.2020. All arrangements were made to provide water connection to the premises belonging to the petitioner.

4. The grievance of the petitioner is that the third respondent with an ulterior motive is not proceeding further and the water connection is delayed endlessly. Left with no other option, the present writ petition has been filed before this Court seeking for appropriate direction.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

6. Taking into consideration the facts and circumstances of the case and after carefully perusing the materials placed before this Court, there shall be a direction to the first respondent to immediately instruct the second respondent to provide drinking water connection to the petitioner within two weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

7.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Commissioner
Kadayanallur Municipality
Kadayanallur,
Tenkasi District.

2.The Fitter,
Kadayanallur Municipality
Kadayanallur
Tenkasi District.

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-15682[F] dated 09/04/2021)

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RR

RM(05.05.2021) 3P 4C