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W.P.Nos.9361 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.9361 of 2022

R.Nachimuthu

... Petitioner

-Vs-

The Municipal Commissioner,
Namakkal Municipality,
Namakkal District.

... Respondent

Prayer : Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of Writs of Mandamus, to direct the respondent herein to provide water connection to the petitioner's house situate in Door No. 1/168 Periyapatti, Namakkal Taluk and District, Ward 37 of Namakkal Municipality, having Property Tax Assessment No.051/037/00782, within the time period as may be fixed by this Hon'ble Court by considering the petitioner's representation dated 19.08.2020 and reminder representation dated 01.02.2022.

For Petitioner : Mr.S.Senthil

For Respondent : Mr.Rajamathivaanan



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ORDER

Mr.Rajamathivaanan, learned counsel takes notice on behalf of the respondent.

2. The prayer sought for herein is for a Writ of Mandamus, to direct the respondent herein to provide water connection to the petitioner's house situated in Door No. 1/168, Periyapatti, Namakkal Taluk and District, Ward No.37 of Namakkal Municipality, by considering the petitioner's representation dated 19.08.2020 and reminder representation dated 01.02.2022.

3. It is noted that the petitioner has given a representation to the respondent Municipality, to provide drinking water connection to his house. The petitioner's representation dated 19.08.2020 did not evoke any response from the respondent and therefore, the petitioner sent another representation/ reminder representation dated 01.02.2022, which has also not evoked any response from the respondent.



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4. The learned counsel for the respondent on the other hand would submit that the property itself is located in an un-authorised plot and that there is no approval. Therefore, no water connection can be given.

5. Heard the learned counsel for the Petitioner and the learned counsel for the Respondent.

6. The facts are not coming out clearly in the Affidavit filed in support of the present writ petition. The respondent has also not filed any counter at this stage.

7. Considering the fact that the petitioner's representation dated 19.08.2020 and reminder representation dated 01.02.2022 have not evoked any response from the respondent, I am inclined to **dispose** this writ petition by directing the respondent to consider the representation and reminder representation of the petitioner and dispose the same on merits and in accordance with law.



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8. In case, interest of any third party is involved, notice should also be issued to the third party. This exercise shall be carried out by the respondent, within a period of six weeks from the date of receipt of the copy of this order.

9. This Writ Petition stands disposed of in terms of the above observations. No cost.

24.06.2022

Index: Yes/No
Speaking order: Yes/No
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To

The Municipal Commissioner,
Namakkal Municipality,
Namakkal District.



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C.SARAVANAN, J.

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