



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4699 of 2022

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R.Valarmathi

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Block Development Officer,
Ottanchathiram,
Dindigul District.

3.The Tahsildar,
Ottanchathiram,
Dindigul District.

4.The Panchayat President,
Sinthalavadampatti Panchayat,
Ottanchathiram Taluk,
Dindigul District.

5.Panneerselvam
Panchayat President,
Sinthalavadampatti Panchayat,
Ottanchathiram Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to restore the water connection of the petitioner's home in Door No.2/86, Ramapattinampudur Village, Sinthalavadampatti Panchayat, Ottanchathiram Taluk, Dindigul District by considering the representation dated 08.09.2021 within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurgan

For Respondents 1 to 3 : Mrs.S.Jeyapriya
Government Advocate

For Respondent No.4 : Mr.M.Ramesh



O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to restore the water connection for the petitioner's house in Door No.2/86, Ramapattinampudur Village, Sinthalavadampatti Panchayat, Ottanchathiram Taluk, Dindigul District, based on the petitioner's representation dated 08.09.2021 within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property and he is in possession of the same. According to him, illegally his water connection has been disconnected by the fourth and fifth respondents before eight [8] months. According to him, he has paid the water charges and water tax till date. The petitioner has filed the house tax receipt as well as the water tax receipt along with this writ petition. The petitioner has given a representation on 08.09.2021 seeking for restoration of water connection for his property. Since the same has not been considered till date, this writ petition has been filed.

3.Heard Mr.T.Thirumurgan, learned Counsel appearing for the petitioner, Mrs.S.Jeyapriya, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 3 and Mr.M.Ramesh, learned Counsel who accepts notice on behalf of the fourth respondent.

4.No prejudice would be caused to the respondents if the petitioner's representation seeking for restoration of water connection is considered on merits and in accordance with law after affording a fair hearing to the petitioner. The petitioner claims that his water connection was arbitrarily and illegally disconnected by the fourth respondent eight months back. It is also his contention that he has paid water charges and water tax up to date. The same has to be considered by the fourth respondent when final orders are passed by him pursuant to the directions given by this Court.

5.Since there is a dispute between the petitioner and the fifth respondent who is the Panchayat President, as seen from the affidavit filed in support of this writ petition, this Court deems it fit to direct the second respondent to consider the petitioner's representation dated 08.09.2021 seeking for restoration of water connection to his property bearing Door No.2/86, Ramapattinampudur Village, Sinthalavadampatti Panchayat, Ottanchathiram Taluk, Dindigul District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of twelve [12] weeks from the date of receipt of a copy of this order.



6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (A.D.I)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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 Block Development Officer,
Ottanchathiram,
Dindigul District.
3. The Tahsildar,
Ottanchathiram,
Dindigul District.
4. The Panchayat President,
Sinthalavadampatti Panchayat,
Ottanchathiram Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-12962[F] dated 18/03/2022)

W.P. [MD]No.4699 of 2022

17.03.2022

_RD(30.03.2022) 3P 6C