



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.8514 of 2022

WEB COPY

K.Maheswaran

.. Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Dindigul.

2.The Assistant Director (Village Panchayat),
Office of the Assistant Director,
Near Old Court Road,
Dindigul Town.

3.The Block Development Officer,
Office of the Block Development Office,
Reddiarchathiram Union,
Dindigul District - 624 622.

4.The Village President,
Kamatchipuram Village Panchayat,
Ellaipatti,
Dindigul District - 624 622.

5.The Secretary / Village Assistant,
Kamatchipuram Village Panchayat,
Ellaipatti,
Dindigul District - 624 622.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th and 5th respondents herein to forthwith provide the water connection to petitioner house situated at Ramalingapatti, Kamatchipuram Village, Reddiarchathiram, Dindigul under the Village Panchayat Water Scheme on payment of the charges or under the PMs Jal Jeewan Scheme on the basis of the petitioner representation dated 06.12.2021 within the time stipulated by this Court.

For Petitioner	:	Mr.R.Varatharajan
For Respondent	:	Mr.B.Saravanan for R1 and R2
		Additional Government Pleader
		Mrs.D.Farjana Ghoushia for R3 to R5
		Special Government Pleader



ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's representation, dated 06.12.2021, seeking for water connection for his house situated at Ramalingapatti, Kamatchipuram Village, Reddiarchathiram, Dindigul under the Village Panchayat Water Scheme, on payment of the charges or under the PMS Jal Jeewan Scheme, within the time stipulated by this Court.

2.The petitioner has given a representation on 06.12.2021, for the aforementioned purpose. Since the representation has not been considered, this writ petition has been filed.

3.Heard Mr.R.Varatharajan, learned counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2 and Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who accepts notice on behalf of the respondents 3 to 5.

4.The learned Special Government Pleader appearing for the respondents 3 to 5 would submit that it is not possible to grant water connection to the petitioner, since already 50 common connections have been granted in the very same area. The said statement is recorded.

5.However, the learned counsel for the petitioner would dispute the same stating that he is seeking for only individual water connection and not common connection. The learned counsel for the petitioner has also stated that the petitioner is also willing to pay all the necessary charges for getting water connection in his name for his property.

6.No prejudice will be caused to the respondents, if the petitioner's representation, dated 06.12.2021, is considered 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 time frame to be fixed by this Court.

7.For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation, dated 06.12.2021, seeking for water connection in respect of his house property situated at Ramalingapatti, Kamatchipuram Village, Reddiarchathiram, Dindigul and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the fourth respondent deems fit to enquire, including granting them the right of personal hearing, within a period of eight weeks from the date of receipt of a copy of this order.



8. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TM

To

1. The District Collector,
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Dindigul.
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5. The Secretary / Village Assistant,
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Ellaipatti,
Dindigul District - 624 622.

+1 CC to M/s.SPL.GP (SR-23199[F] dated 02/05/2022)

W.P. (MD)No.8514 of 2022

28.04.2022

=RD(13.05.2022) 3P 7C