



W.P.(MD)No.14723 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14723 of 2022

Chithamparathammal

... Petitioner

Vs

1.The Commissioner,
Kadayanallur Municipality,
Tenkasi District.

2.The Municipal Engineer,
Kadayanallur Municipality,
Tenkasi District.

3.Govinthammal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to provide drinking water supply connection to the petitioner house situated in No.9, West Malampatti Street, Krishnapuram, Kadaiyanallur, Tenkasi District.

For Petitioner : Mr.K.Sudalaiyandi

For Respondents : Mr.M.Rajarajan
Standing Counsel for R.1

No Appearance for R.2 & R.3



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ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the Kadayanallur Municipality.

2. All that the petitioner wants is only providing of drinking water supply connection for the petition mentioned house. The Municipality is declining to grant the said request because of the objection raised by the third respondent. The third respondent is none other than the writ petitioner's sister. She had filed a partition suit and obtained preliminary decree. The petitioner has filed first appeal. The petitioner states that grant of water supply connection to the petitioner will abide by the outcome of the civil proceedings. Since the third respondent had not obtained any restraint order, the Municipality need not go by her objections.

3. The respondents 1 and 2 are directed to provide drinking water supply connection to the writ petitioner for the petition mentioned house forthwith and without any delay subject to fulfilment of the other usual formalities. I make it clear that this will not in any way affect the rights of the third respondent. The rights of the respective parties will abide by the outcome of the civil proceedings.



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4. With this clarification, this writ petition is allowed. No costs.

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Index : Yes / No

Internet : Yes/ No

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To

1.The Commissioner,
Kadayanallur Municipality,
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Tenkasi District.



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G.R.SWAMINATHAN, J.

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