



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD)No.23107 of 2021
and
WMP (MD)No.19556 of 2021

S.Kalaimani

... Petitioner

vs.

1) The District Collector / Inspector of Village Panchayats,
Collectorate, Karur District, Karur.

2) The Block Development Officer (Village Panchayats),
O/o the Karur Panchayat Union,
Vennaimalai-639 007,
Karur Post and District.

3) The President,
Kombupalayam Village Panchayat,
Karur Panchayat Union, Karur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order passed by the 3rd Respondent in his proceedings Na.Ka.Aa 4 / 1982 / 2020 dated 16.12.2021 and quash the same and consequently direct the Respondents to provide basic amenities ie. Underground drainage and drinking water pipe to the petitioner's house, within a stipulated time may be fixed by this Hon'ble Court.

For Petitioner	: Mr.M.Saravanakumar
For R1	: Mr.B.Saravanan Additional Government Pleader
For R2 & R3	: Mr.P.Thilakkumar Government Pleader

ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

The prayer in the writ petition is to quash the impugned order passed by the 3rd Respondent in his proceedings Na.Ka.Aa 4 /
<https://hcservices.ecourts.gov.in/hcservices/>



1982 / 2020 dated 16.12.2021 and for a consequential direction to the respondents to provide basic amenities i.e., underground drainage and drinking water pipe to the petitioner's house, within a time frame.

2. The very same petitioner had earlier filed a writ petition in W.P(MD)No.8267 of 2020, in which, orders were passed on 01.09.2020, quashing the similar notice issued by the authorities on the ground of violation of principles of natural justice. This is the second writ petition filed by the very same petitioner. In fact, the learned counsel for the petitioner admitted that mud was dumped in front of his house to stop water from flowing into his house and without removing that, the authorities cannot provide the amenities sought for by the petitioner.

3. Now the learned Government Pleader appearing for the respondents 2 and 3, on instructions, says that on 23.12.2021, the encroachments whatever has been made were removed by the panchayat. What remains to be done is to provide the drainage system and also water supply through the pipeline. The petitioner though has stated that it is for the entire village, but in the prayer it is stated that it is only to his house, the underground drainage and drinking water pipe should be fixed.

4. As the encroachments are already removed, we direct the authorities to consider laying of the underground drainage and drinking water pipeline and other amenities to the villagers at the earliest.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Bala

To

- 1) The District Collector / Inspector of Village Panchayats,
Collectorate, Karur District, Karur.
- 2) The Block Development Officer (Village Panchayats),
O/o the Karur Panchayat Union,
Vennaimalai-639 007,
Karur Post and District.



3) The President,
Kombupalayam Village Panchayat,
Karur Panchayat Union, Karur District.

+1 CC to M/s.M.SARAVANAKUMAR, Advocate (SR-4[F] dated 03/01/2022)

+1 CC to M/s.SPL.GP (SR-162[F] dated 04/01/2022)

W.P(MD)No.23107 of 2021

DATED : 03.01.2022

NSN(CO)

KB(19.01.2022) 3P 6C