



WEB COPY



W.P.No.7357 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

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THE HON'BLE MR. JUSTICE **RMT.TEEKAA RAMAN**

W.P.No.7357 of 2023

Kavitha

.. Petitioner

Vs.

The Commissioner,
Wallajapet Municipality,
Ranipet District – 632 513.

.. Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, directing the respondent to consider the petitioner's representations dated 27.12.2022 and thereby direct the respondent to remove the Sintex Water Tank fixed near the property owned by the petitioner which affects the free access to the petitioner's property situated in Old.T.S.No.93 and New T.S.No.93/1B, Block 2, Ward 1, Wallaja Town situated in Aandiappan Street and T.V.K Street, Wallaja Town and Taluk, Ranipet District.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : Mrs.S.Mythreye Chandru
Special Government Pleader



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ORDER

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This writ petition has been filed seeking a direction to the respondent to consider the representation for shifting the Sintex Water Tank fixed near the petitioner's house, which is affecting the free access to the petitioner's property as stated in the petition.

2. Mrs.S.Mythreye Chandru, the learned Special Government Pleader appearing for the respondent / Municipality on instruction would submit that initially, the petitioner, though owner of the property, is also the Councillor of the Municipality, has removed the Sintex Water Tank fixed by the respondent / Municipality on his own accord and there was dispersion of drinking water supply to the local area. In view of the agitation taken place in the locality, he reinstalled the said water tank. However, if there is possibility to shift the tank subject to the availability of the alteration of rule, the request of the petitioner will be considered and appropriate orders will be passed on merits.

3. Taking into consideration the submission of the learned Special Government Pleader, the respondent / Municipality is directed to consider the petitioner's representation, if any alternative pathway or entrance is available to the petitioner's house with respect to the installation of Sintex water tank,



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without affecting the general public for distribution of drinking water, and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. With these observations, the writ petition stands disposed of. There shall be no order as to costs.

17.03.2023

Speaking/Non-speaking order

Neutral Citation Yes / No

Index : Yes/No

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To

The Commissioner,
Wallajapet Municipality,
Ranipet District – 632 513.



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RMT.TEEKAA RAMAN.J,

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