



WEB COPY

W.P.No.24702 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24702 of 2014

and

M.P.No.2 of 2014

- 1.J.Muthaiyan
- 2.K.Ganesan
- 3.J.Manickavasagam
- 4.N.Palanithurai
- 5.S.Kumarasami
- 6.V.Manickavasagam
- 7.S.Sadhasivam
- 8.S.Kumaravel
- 9.P.Thiyagarajan
- 10.A.Muthukumarasami

... Petitioners

Vs.

- 1.The District Collector,
Nagapattinam District,
Nagapattinam.
- 2.The Block Development Officer,
Thalaignayar, Thirupoondi Taluk,
Nagapattinam District.



3. The Panchayat President,
Aymoor Panchayat,
Aymoor Village,
Thirukkuvalai Taluk,
Nagapattinam District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of President, Aymoor Panchayat, Thirukuvalai Taluk, Nagapattinam District, the 3rd respondent herein dated 12.08.2014 and to quash the same and forbearing the respondents, more particularly the respondents 2 and 3 from disconnecting the drinking water supply given to the residence of the petitioners in Aymoor Village, Thirukuvalai Taluk, Nagapattinam District.

For Petitioners	: No Appearance
For R1	: Mr.Abishek Murthy Government Advocate
For R2	: Mr.R.Balakrishnan For Mr.S.V.Durai Solamalai
For R3	: Mrs.D.Sathiya For Mrs.Zeenath Begum



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ORDER

The notice dated 12.08.2014 communicated to the petitioners is sought to be quashed in the present writ petition.

2. The notice impugned states that the petitioners without obtaining proper permission from the competent authorities are illegally extracting drinking water from the pipe line.

3. The learned Government Advocate appearing on behalf of the 1st respondent brought to the notice of this Court that Block Development Officer issued a letter dated 08.08.2014 to the Panchayat President to remove all the illegal water connections in the Village. Based on the letter of the Block Development Officer, the 3rd respondent Panchayat President issued a letter to the writ petitioners on 12.08.2014 asking the petitioners to remove the illegal water connection within a period of 7 days.

4. It is needless to state that all illegal water connections are to be removed by issuing notice to the persons, who all are illegally extracting water from the pipe lines. In this regard, the authorities competent are bound



to conduct an inspection and initiate all appropriate actions. The writ petition was instituted in the year 2014 and is pending for past more than 8 years.

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Whether the illegal water extraction is continuing or not is to be ascertained by the competent authorities by conducting inspection with reference to the water connection.

5. In view of the fact that the allegations of illegal water connection were raised in the year 2014, the respondents are directed to conduct inspection and find out, whether the illegal connection is in existence or disconnected. If such illegal connections are in existence, then all appropriate actions are to be initiated for removal of illegal connection in the manner known to law.

6. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

12.04.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

- 1.The District Collector,
Nagapattinam District,
Nagapattinam.
- 2.The Block Development Officer,
Thalaignayar, Thirupoondi Taluk,
Nagapattinam District.
- 3.The Panchayat President,
Aymoor Panchayat,
Aymoor Village,
Thirukkuvalai Taluk,
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S.M.SUBRAMANIAM, J.

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