



WEB COPY



W.P. No. 31489 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31489 of 2023

and

W.M.P. No. 31120 of 2023

Prathibha Rao

... Petitioner

-VS-

1. The District Collector,
Nilgiris District,
Udagamandalam.
2. The Executive Officer,
Jegathala (Selection Grade) Panchayat,
Aruvankadu, The Nilgiris.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus (i) Directing the Respondents to provide to the Petitioner herein, clean and potable water fit for human consumption directly from the Village, source and (ii) directing the Second Respondent to repair and maintain the direct pipeline funded by the Petitioner which was constructed directly to the water source, thereby holding the Third Respondent responsible for the maintenance of the pipeline at the expense and responsibility of the Second Respondent.



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For Petitioner : Mr. N.Aswin
For Respondents : Mr. U.Baranidharan,
Additional Government Pleader (for R1)
Mr. S.Mythraye Chandru (for R2)

ORDER

Heard Mr. N.Aswin, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the First Respondent and Mr. S.Mythraye Chandru, Learned Counsel for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner has filed this Writ Petition for directing the Respondents to provide clean and potable water fit for human consumption directly from the village source to her and repair and maintain the direct pipeline funded by her.

3. In furtherance to the order dated 03.11.2023 passed by the Court, the Second Respondent has filed Status Report dated 24.11.2023 in which it has been stated as follows:-



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“4. The Second Respondent submits that the Petitioner is owned the house situated at No. 3/3H, Survey No. 297/8A1A, Defence Enclave, Jegathala Village, Othanatty Road, Coonoor – 643 202, the Nilgiris District and she had obtained water connection from the 2nd Respondent and properly paying the Water tax for the same.

5. The Second Respondent states that the pipes were damaged at the regular intervals by the vehicles travelling up and down from the Village and in the Month of July, 2021 the pipelines connected to the Petitioner were damaged while the repairing and relaying the Othanatty to Jagathala Road done by the Second Respondent and the same was repaired immediately and given water to the Petitioner.

6. The Second Respondent states that the Petitioner is not permanently residing in the above said property and the water pipeline connection give to Petitioner were got



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damaged by the public vehicles travelling to the Village up

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In view of the aforesaid action taken, nothing remains for further consideration in the Writ Petition.

In the result, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

28.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 14.02.2024.

nsI

To

1. The District Collector,
Nilgiris District,
Udagamandalam.
2. The Executive Officer,
Jegathala (Selection Grade) Panchayat,
Aruvankadu, The Nilgiris.



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P.D. AUDIKESAVALU, J.

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