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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.3397 of 2021

J.Mohammed Rafi

... Petitioner

vs.

The Commissioner,
Trichy Municipal Corporation, Trichy.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to provide the drinking water tap connection and drainage water system in pursuance of the petitioner's application No.086/A/1/20-21/0008171 dated 08.12.2020 on the basis of the petitioner's representation dated 27.01.2021 within the time stipulated by this Court.

For Petitioner :Mr.B.Jameel Arasu
For Respondent :Mr.R.Baskar
for M/s.R.B.Law Associates



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ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondent to provide drinking water and drainage connection to the petitioner's property by considering the representation made by the petitioner on 27.01.2021.

2. When the Writ Petition was taken up for hearing, the learned Standing Counsel appearing for the respondent produced the copy of plaint in O.S.No.755 of 2020, which has been filed by the plaintiff against the petitioner and another. In that suit, the Temple had sought for the relief of declaration of title and for recovery of possession of the property. The petitioner has aware of the filing of the suit and in spite of the same, the Temple has not been made as a party in this Writ Petition.

3. This Court cannot pass any orders behind the back of the Temple and apart from that, there is not a single document filed before this Court to show as to how the petitioner is claiming title over the property.



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4. In view of the same, the relief sought for by the petitioner cannot be granted by this Court and hence, this Writ Petition stands dismissed.

No costs.

Index : Yes / No
Internet : Yes
NCC : Yes/No

11.10.2023

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N.ANAND VENKATESH, J.

cmr

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