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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.14948 of 2021

T.V.Devendiran

... Petitioner

vs.

1.The Commissioner,
Dindigul Corporation, Dindigul.

2.The Assistant Divisional Engineer,
Highways and Rural Works,
Dindigul,

... Respondents

(R2 is *suo motu* impleaded vide order of this Court dated 15.11.2023)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pass appropriate orders to provide water connection to the petitioner's house situated in New No.44, Old No.26/7, Trichy Road, Dindigul City, Dindigul within the time limit that may be stipulated by this Court.

For Petitioner	:Mr.C.Susi Kumar
For R1	:Mr.J.Lawrance
For R2	:Mr.A.K.Manikkam
	Special Government Pleader



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ORDER

The Assistant Divisional Engineer, Highways and Rural Works, Dindigul, is *suo motu* added as the second respondent in this Writ Petition and Mr.A.K.Manikkam, learned Special Government Pleader takes notice on their behalf.

2.This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to provide water connection to the house of the petitioner based on the representation made by the petitioner dated 03.12.2021,

3.Heard Mr.C.Susi Kumar, learned Counsel appearing on behalf of the petitioner, Mr.J.Lawrance, learned Standing Counsel appearing on behalf of the first respondent and Mr.A.K.Manikkam, learned Special Government Pleader appearing on behalf of the second respondent.

4.The case of the petitioner is that he is residing in the subject property and that he had applied for water connection to his house by making necessary deposit. From the year 2017 onwards, the petitioner



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and his family members did not have any water connection. In spite of several requests made by the petitioner, no water connection was given to the petitioner and hence, the present Writ Petition has been filed before this Court.

5.The learned Standing Counsel appearing on behalf of the first respondent submitted that for providing water connection, permission must be taken from the impleaded second respondent and necessary permission was also sought for in this regard by the first respondent. Since no permission was granted, the request made by the petitioner was not considered.

6.In the light of the above submissions, this Court *suo motu* impleaded the second respondent, viz., The Assistant Divisional Engineer, Highways and Rural Works, Dindigul, as a party to the Writ Petition.

7.Taking into consideration the facts and circumstances of the case and the relief sought for by the petitioner and also considering the fact



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that the entire residents in that locality did not have any water connection due to the permission, which is pending from the impleaded second respondent, there shall be a direction to the petitioner to make a fresh representation to the impleaded second respondent seeking for permission to utilise the road by laying pipeline for getting water connection from the first respondent. The second respondent on receipt of the representation, shall grant the permission by imposing necessary conditions to the first respondent. This process shall be completed by the second respondent within a period of four weeks from the date of receipt of a copy of this order. The first respondent, on receipt of the permission from the second respondent, shall take immediate steps to grant water connection not only to the petitioner, but also to all other residents in the locality, who are waiting for water connection. The first respondent shall strictly comply with the conditions imposed by the second respondent while granting permission. The first respondent shall complete this process within a period of eight weeks from the date of receipt of permission from the second respondent. Ultimately, the first respondent shall ensure that the water connection is given to the residents at the earliest possible time, since it is a basic necessity to run the day-to-day



chores in any house.

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8.This Writ Petition is disposed of in the above terms. No costs.

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

15.11.2023

cmr

To

The Assistant Divisional Engineer,
Highways and Rural Works Department,
Dindigul.



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N.ANAND VENKATESH, J.

cmr

W.P.(MD)No.14948 of 2021

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