



WP(MD)No.17798 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Janaki

.. Petitioner

v.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Block Development Officer,
Panchayat Union Office,
Karambakudi Taluk,
Pudukottai District.

3.The Village Panchayat,
Panchayat Union Office,
Ponnanvidhuthi Village and Panchayat,
Karamakudi Taluk,
Pudukottai District.

4.The Village President,
Panchayat Union Office,
Patchikottai Panchayat,
Alangudi Taluk,
Pudukottai District.

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 2 & 3 to give drinking water connection under the scheme namely 'Bharatha Pirathamar Jalsakthi Scheme' for the petitioner's house situated at Manakollai Village, Ponnaviduthi Post, Alangudi Taluk, Pudukottai District, based on her representation dated 10.07.2023, within a stipulated time limit.

For Petitioner : Ms.A.Banumathy

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for a direction to the respondents 2 & 3 to provide drinking water connection under Bharatha Prathamar Jalsakthi Scheme to her house situated at Manakollai Village, Ponnaviduthi Post, Alangudi Taluk, Pudukottai District, by considering her representation dated 10.07.2023.



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2. When the matter came up for hearing in the last occasion, learned Government Advocate, who took notice on behalf of the second respondent, submitted that the petitioner's house is situated within the limits of the fourth respondent Panchayat and therefore, the petitioner ought to have applied for water service connection before the fourth respondent and not before the second respondent.

3. Learned Counsel for the petitioner claimed that the petitioner's house is situated within the limits of the second respondent and therefore, the second respondent alone is the competent authority to grant water connection.

4. In view of the rival submissions and in order to ascertain under whose jurisdiction the petitioner's house is situated, this Court by order dated 25.07.2023 directed the learned Additional Government Pleader to get instructions from the Block Development Officer, Pudukottai District / second respondent.



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5. Accordingly, the Block Development Officer has filed a status report dated 28.07.2023 that the petitioner is having a residential house at the third respondent Panchayat, which is under the control of the second respondent. For this house, the petitioner is paying taxes and already obtained water connection from the third respondent Panchayat.

6. The report further reads that the petitioner has constructed another house at the limits of Pachikottai Panchayat / fourth respondent and the same is under the control of Thiruvarangulam Panchayat Union. For this house, the petitioner is paying house tax in the fourth respondent Panchayat and she has to obtain the water connection for this house from the fourth respondent alone and not with the respondents 2 & 3.

7. Considering this stand taken by the second respondent / Block Development Officer, this writ petition is disposed of with a direction to the petitioner to resubmit a fresh application for water connection to the fourth respondent within a period of three weeks from the date of receipt of



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a copy of this order. On receipt of such application, the fourth respondent shall consider the same and take a decision thereon, within a further period of six weeks therefrom. There shall be no order as to costs.

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

28.07.2023

To

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Block Development Officer,
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Karambakudi Taluk,
Pudukottai District.
- 3.The Village Panchayat,
Panchayat Union Office,
Ponnanvidhuthi Village and Panchayat,
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B.PUGALENDHI, J.

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