



W.P.(MD)No.18256 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :28.07.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)No.18256 of 2023

and

W.M.P(MD)No.15221 of 2023

R.Mathiyalagan

... Petitioner

Vs.

1.The District Collector/Inspector of Village Panchayats,
Collectorate, Karur District,
Karur.

2.The Block Development Officer Village Panchayats,
O/o.the Karur Panchayat Union,
Vennamalai,
Karur Post and District.

3.The President,
Vettamangalam Village Panchayat,
Karur Panchayat Union,
Karur.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 3 either to repair or to restore the drinking water pipelines runs from Maravapalayam Over-Head Tank to hamlet villages of Vettamangalam Village Panchayat



W.P.(MD)No.18256 of 2023

more particularly Semangi Village, Muthanoor Village, Muninathapuram Village and Sottiyur Village within a stipulated time may be fixed by this Court.

For Petitioner	:Mr.V.Muthukamatchi
For R-1	:Mr.P.Thilak Kumar, Government Pleader
For R-2 & R-3	:Mr.D.Sachikumar, Additional Government Pleader

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

Heard Mr.V.Muthukamatchi, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader for the first respondent and Mr.D.Sachikumar, learned Additional Government Pleader for respondents 2 and 3.

2. The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus to direct the respondents 1 to 3 either to repair or to restore the drinking water pipelines runs from Maravapalayam Over-Head Tank to hamlet villages of Vettamangalam



W.P.(MD)No.18256 of 2023

Village Panchayat, more particularly, Semangi Village, Muthanoor Village, Muninathapuram Village and Sottiyur Village within a stipulated time.

3. It is the case of the petitioner that more than 250 families are residing in Sottiyur, Vettamangalam Village Panchayat, Karu Panchayat Union and District. It is stated that the drinking water pipelines were damaged during extension of National Highways road and that, therefore, the petitioner has submitted a representation to re-lay pipelines and for the past several months, the petitioner's village people and neighbouring village people are not getting proper drinking water. Several representations were made in this regard. Subsequently, the President of Vettamangalam Village Panchayat sent a communication dated 29.05.2023 informing the petitioner that the local body is waiting for the funds. Thereafter, no steps have taken to relay the pipeline. Hence, the petitioner has come forward with this writ petition with the aforesaid prayer.



W.P.(MD)No.18256 of 2023

WEB COPY

4. The learned Additional Government Pleader appearing for the third respondent has produced before this Court the communication received from the District Collector, dated 24.05.2023, sanctioning funds for several works including the work regarding re-laying of pipelines to provide drinking water to the petitioner's village. He further stated that the work has already been commenced.

5. From the photographs produced before this Court, it is seen that the pipelines are now re-laid damaging the existing road. It can also be concluded that the local body has not re-laid the pipelines even before extension of road. The respondents could have avoided damaging of the pipelines earlier and now they are damaging the road. The District Collector may consider the issue and issue proper directions. Whenever, road extension work is undertaken, the local body should be directed to do the re-laying of pipelines and electric poles etc., and only after shifting of existing pipelines and electric poles, the work should be given to the Contractor for extension of road.

6. With the above observations, this writ petition is disposed of



W.P.(MD)No.18256 of 2023

WEB COPY

with a further direction to the respondents to restore the drinking water pipelines, within a period of four weeks from the date of receipt of a copy of this Order. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.S.S.R., J.] [D.B.C., J.]
28.07.2023

Index : Yes / No
NCC : Yes/No

pm

To

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Revenue Divisional Officer,
Tenkasi District,
Tenkasi.
- 3.The Thasildar,
Alangulam Taluk,
Tenkasi District.
- 4.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.



WEB COPY



W.P.(MD)No.18256 of 2023

S.S.SUNDAR, J.

and

D.BHARATHA CHAKRAVARTHY, J.

pm

W.P(MD)No.18256 of 2023

28.07.2023