



W.P(MD)No.25115 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25115 of 2023

D.Balasubramanian

... Petitioner

Vs.

1.Madurai Corporation
through its Commissioner,
Anna Mazhigai,
Out Post,
Alagarkovil Road,
Madurai-625 002.

2.Madurai Corporation
through its Assistant Commissioner,
East Zone, Zone-1,
Race Course Road,
Madurai.

3.Manian
Assistant Engineer,
Ward No.5, East Zone,
Zone-1, Race Course Road,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents restore and rectify the drainage connection damaged by them in Drainage Connection No. 115/005/900606 and also to provide New Water Supply connection to petitioners house situated in Plot No. 25, D.No. 24A, Postal and Telegraph Nagar 2nd Street, Madurai within stipulated time as fixed by this Court.



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For Petitioner : Mr.N.S.Karthikeyan

For Respondent : Mr.S.Devasena for R1 & R2

ORDER

Heard the learned counsel for the petitioner and the learned standing counsel for R1 & R2.

2. The writ petition is dismissed as against the third respondent.

3. The petitioner is owning the petition mentioned house. His complaint is that on account of road laying works, drainage connection has been cut off. His further grievance is that water connection has never been granted. That led to filing of this writ petition.

4. When the matter was taken up for disposal today, it is submitted by the learned standing counsel that water connection has already been given. Till recently, the petitioner's house was having drainage connection with the manhole located in Second street. Since the said street has recently been laid, it is not possible to cause damage to the said street. The corporation therefore suggests that the petitioner can have drainage connection with the manhole located in second cross street which is on the north side. The petitioner's house is located on the corner plot. In my view, the suggestion made by the Corporation deserves to be accepted.



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5. Since it is the duty of the corporation to provide necessary amenities, the writ petition is disposed of in the following terms:-

1. The corporation authorities will give proposal to the petitioner setting out the materials that will have to be procured. The said materials will be made available by the petitioner. On such materials being made available, the connection will be established only by the labour to be engaged by the corporation authorities themselves.

2. The petitioner will have to bear the labour charges. The corporation authorities will inform the estimated cost payable by the petitioner and on payment of the petitioner, connection will be given immediately and without any delay.

6.The Writ Petition is allowed. No costs.

18.10.2023

Index : Yes / No
Internet : Yes/ No
rmi



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G.R.SWAMINATHAN, J.

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