



WEB COPY



W.P.No.10436 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10436 of 2024

&

W.M.P.No.11424 of 2024

S.Rajamanickam

...Petitioner

Vs.

1.The District Collector
Salem 636 001

2.The Block Development Officer
Edapaddy, Salem District

3.The President
Vellarivelli Panchayat
Edapaddy Taluk. Salem District

4.S.Dhanraj

5.E.Devarajan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's representation dated 01.02.2024 and to provide drinking water connection to the petitioner's house from the over head water tank existed in Sl.No.147 through the Panchayat road runs through



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S.F.No.147/8 and 148/5, which is classified as Nilavai Pathai (Geological path-way) forthwith.

For Petitioner : Mr.P.Jegadeesan

For Respondents : Mr.M.Shahjahan, Spl.G.P for R1

Mr.P.Anandakumar, G.A for R2 and 3

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's representation dated 01.02.2024 and to provide drinking water connection to the petitioner's house from the over head water tank existed in Sl.No.147 through the Panchayat road runs through S.F.No.147/8 and 148/5, which is classified as Nilavai Pathai (Geological path-way) forthwith.

2. The case of the petitioner is that he has been provided drinking water supply by the 3rd respondent to his residence for the past 25 years from the over head tank constructed under “Namakku Namme” Scheme. The petitioner submits that due to a civil dispute between him and his brother, his brother unlawfully disconnected the water connection on 18.12.2023. The petitioner gave a complaint to the respondents 2 and 3



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for restoring the water connection to his residence. Petitioner submitted a representation on 20.12.2023 wherein the 3rd respondent decided to provide water connection from the over head tank situated in Nadupatti Kaduvalavu through existing Panchayat road in S.No.147/8 148/5 to which the Panchayat Counsellor prevented the laying of pipeline on the ground that the over head tank was constructed out of his own funds. The officials also stopped the work. Accordingly, the petitioner gave a representation to the 1st respondent with copies to the respondents 2 and 3 regarding the same on 01.02.2024 and so far no action was taken to provide drinking water supply to the petitioner residence. Hence, the present Writ Petition.

3. Learned Special Government Pleader appearing for the 1st respondent submitted that the representation of the petitioner will be considered and necessary orders will be passed to restore the water connection for the petitioner's residence.

4. Heard Mr.P.Jagadeesan, learned counsel for the petitioner, Mr.M.Shahjahan, learned Special Government Pleader for the 1st



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respondent and Mr.P.Anandakumar, learned Government Advocate for the respondents 2 and 3.

5. It is made clear that the petitioner cannot insist that in the particular way only the water connection should be restored. It is left open for the officials of the respondents/Panchayat to see the feasibility of forming a pipeline to the petitioner's house to restore the drinking water supply to the petitioner's residence within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, with the above observation, the Writ Petition is disposed of . There shall be no order as to costs. Consequently, connected Writ Miscellaneous Petition is closed.

30.04.2024

Index:Yes/No
Speaking order/Non-speaking order
kpr



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V.BHAVANI SUBBAROYAN,J.

kpr

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