



W.P(MD)No.8123 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.P(MD)No.8123 of 2024
and
W.M.P(MD)No.7344 of 2024**

M.Jenijus

... Petitioner

VS.

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Block Development Officer,
Radhapuram,
Tirunelveli District.
- 3.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.
- 4.The President,
Rammathapuram Village Panchayat,
Anaikarai Panchayat Union,
Tisayanvilai Taluk,
Tirunelveli District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbear the respondents 1 to 4 from erecting the underground water tank in the residence place at South Street, Rammathapuram Village, Anaikarai Panchayat Union, Tisayanvilai Taluk, Tirunelveli District and consequently direct the respondents 1 to 4 to erect the underground water tank in an alternative place at Rammathapuram Village, Thisayanvilai Taluk, Tirunelveli District on the basis of the petitioner's representation dated 06.02.2024.

For Petitioner : Mr.A.Kesavaperumal

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought for herein is to forbear the respondents 1 to 4 from erecting the underground water tank in the residence place at South Street, Rammathapuram Village, Anaikarai Panchayat Union, Tisayanvilai Taluk, Tirunelveli District and consequently direct the respondents 1 to 4 to erect the underground water tank in an alternative place at Rammathapuram Village, Thisayanvilai Taluk, Tirunelveli District based on the petitioner's representation dated 06.02.2024.



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2.This present Writ Petition styled as a 'Public Interest Litigation' has been made by the petitioner on the ground that the fourth respondent Panchayat is planning to construct a sump for the purpose of storing the drinking water to be provided to the Village people in a Natham land belongs to the Government, that is being objected by the petitioner claimed to be on behalf of other residence in the locality.

3.Heard Mr.A.Kesavaperumal, learned counsel appearing for the petitioner.

4.Though he has submitted that if an underground sump is constructed, it will affect the residences in the locality, we find no reason to sustain such objection. The reason being that, unless the underground sump is constructed, water cannot be stored. Thus, the supply of drinking water to the Village people, especially, the residents in the nearby locality would be paralysed. Therefore, it is a public welfare measure taken by the respondents which cannot be scuffled in the name of PIL. Therefore, this



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Writ Petition deserves to be rejected and, accordingly, dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[R.S.K.,J.] [G.A.M.,J.]
01.04.2024

NCC : Yes / No
Index : Yes / No
ps



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R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

ps

ORDER MADE IN
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DATED : 01.04.2024