



W.P.(MD)No.2242 of 2018

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2242 of 2018

Murugan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Block Development Officer,
Kadayanallur Panchayat Union,
Tirunelveli District.

3.The Special Officer/the Block Development Officer,
Kulayaneri Panchayat,
Kulayaneri,
V.K.Pudur Taluk,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents herein to provide drinking water to the petitioner's house without any interruption by receiving necessary monthly charges from the petitioner for the period commencing from 01.04.2017 to till date and also to furnish the deposit receipt for Rs.1,000/- which the petitioner has already deposited at the time of getting individual drinking water connection before them on the basis of the petitioner's representation dated 19.01.2018.



W.P.(MD)No.2242 of 2018

For Petitioner
For Respondents

: Mr.B.Brijesh Kishore
: Mr.D.S.Neduncheliyan
Government Advocate

WEB COPY

ORDER

The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, directing the 2nd and 3rd respondents herein to provide drinking water to the petitioner's house without any interruption by receiving necessary monthly charges from the petitioner for the period commencing from 01.04.2017 to till date and also to furnish the deposit receipt for Rs.1,000/- which the petitioner has already deposited at the time of getting individual drinking water connection before them on the basis of the petitioner's representation dated 19.01.2018.

2.The petitioner had availed water connection from the 1st respondent, vide proceedings dated 17.02.2016 and the petitioner's connection was one among 747 water connections. Pursuant to the same, the petitioner was provided with drinking water on deposit of Rs.1,000/- and monthly drinking water charges of Rs.30/-. However, for the reasons known to the respondents, from the year 2017, the third respondent is not receiving the water charges from the petitioner. In view of the same, the petitioner has made a detailed representation on 19.01.2018, requiring the respondents to furnish him with deposit receipt of Rs. 1,000/- and other water charges whatever the petitioner paid till the date



W.P.(MD)No.2242 of 2018

of filing of the Writ Petition. However, the same was not considered.

Hence, this Writ Petition came to be filed.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and carefully perused the entire materials available on record.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. Considering the limited scope of relief sought for, this Court hereby direct the respondents 2 and 3 to consider the petitioner's representation dated 19.01.2018 and forthwith issue with receipt for deposit amount of Rs.1,000/- and receipt for all the water charges whatever has been, so far paid by the petitioner till date.



W.P.(MD)No.2242 of 2018

6.With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

11.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Block Development Officer,
Kadayanallur Panchayat Union,
Tirunelveli District.

3.The Special Officer/the Block Development Officer,
Kulayaneri Panchayat,
Kulayaneri,
V.K.Pudur Taluk,
Tirunelveli District.



WEB COPY



W.P.(MD)No.2242 of 2018

L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.2242 of 2018

11.11.2024