



W.P.(MD)No.27821 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED 29.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.27821 of 2023

S.Udayar

...Petitioner

/Vs./

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Block Development Officer (VP),
Kovilpatti Panchayat Union,
Kovilpatti.

3.The Executive Officer / President,
Chidambarapuram Village Panchayat,
Kovilpatti Panchayat Union,
Thoothukudi District.

4.A.Unnamalai

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to lay pipeline through Survey No.144/2, Government Poramboke to provide drinking water to the petitioners house under the Prime Minister Jal Jeevan House Hold Drinking Water Scheme based on the representation of the petitioner dated 15.08.2023 within the time limit that may be stipulated by this Court.



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For Petitioner : Ms.R.Kayathri

For Respondents : Mr.D.Gandhiraj (R1 to R3)

Special Government Pleader

Mr.P.Banuprasath (R4)

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the respondents 1 to 3 herein to lay pipeline through Survey No.144/2, Government Poramboke to provide drinking water to the petitioner's house under the Prime Minister Jal Jeevan House Hold Drinking Water Scheme based on the representation of the petitioner dated 15.08.2023 within the time limit that may be stipulated by this Court.

2. The case of the petitioner is that the central government is providing water connection to every household in Rural India under the Jal Jeevan Drinking Water scheme. The third respondent has provided water connection to the entire panchayat about 437 houses except the petitioner, who claims that S.No.144/2 is a government poramboke, through which the pipeline will be laid. The fourth respondent is causing hindrance to the petitioner claiming that S.No.144/2 belongs to him. Therefore, the petitioner made a representation to the respondents seeking water connection to his street. Since the same has not



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been considered till date, the petitioner came before this Court with the aforesaid prayer.

3. The learned Special Government Pleader appearing for the official respondents submits that the land is classified as 'Sarkaar Manai' and hence, there cannot be any right being claimed by any person.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents.

5. It is seen that the subject property is a government land. There cannot be any discrimination among the public and the authorities are directed to implement the aforesaid scheme in a proper manner to avoid all the unnecessary issues. The official respondents shall direct the concerned officials to lay the pipeline through S.No.144/2 and provide water connection to the petitioner's street in a peaceful manner within a period of twelve weeks from the date of receipt of a copy of this order and the official respondents shall ensure that there shall not be any law and order situation. If the fourth respondent has got any right over the subject property, it is left open to the fourth respondent to approach the competent civil Court for declaration of his



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title. It is also made clear that if there is any other possible way to supply water to the petitioner's street, the official respondents are directed to consider the same as per the revenue records.

6. With the above directions, this writ petition is disposed of. No costs.

29.01.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

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V.BHAVANI SUBBAROYAN, J.

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Order made in
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Dated:
29.01.2024