



W.P.(MD)No.29863 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.29863 of 2024

Ponraj

... Petitioner

Vs.

1. The Collector,
Office of the Collector,
Tirunelveli District.
2. The Tahsildar,
Office of the Tahsildar,
Tisayanvilai Taluk,
Tirunelveli District.
3. The Block Development Officer,
Office of the Block Development Officer,
Ilagulam Village,
Tisayanvilai Taluk,
Tirunelveli District.
4. The Deputy Block Development Officer,
Office of the Block Development Officer,
Ilagulam Village,
Nanguneri,
Tirunelveli District.
5. The President,
Vijanarayananam Panchayath,
Tisayanvilai Taluk,
Tirunelveli District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to provide pipe line connection along with Tap in the Petitioner's land in survey No.39/4C1, Periyandar Kudiyruppu, Vijayanarayanam Panchayath, Tisayanvilai Taluk, Tirunelveli District in light of the order passed by the Respondent No.3 in Na.Ka.No.Aa3/305/2020 dated 06.02.2020 by considering the petitioner's representation dated 25.07.2024 within the time stipulated by this Court.

For Petitioner : Mr.G.Sujeeth
For Respondents : Mr.S.Kameswaran (R1 & R2)
Government Advocate
Mr.M.Siddharthan (R3 to R5)
Additional Government Pleader

ORDER

This writ petition has been filed to consider the petitioner's representation dated 25.07.2024 for providing pipeline connection along with the tape in his land in S.No.39/4C1, Periyandar Kudiyruppu, Vijayanarayanam Panchayath, Tisayanvilai Taluk, Tirunelveli District.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. The learned Additional Government Pleader appearing for the respective respondents submitted that the petitioner's house has already been provided with pipeline facility. However, the petitioner's claim to provide pipeline facility in the land mentioned in the representation is for the purpose of general public, which was already erected in the said land. However, the petitioner, apart from utilizing the pipeline facility which is provided to his house, is also utilizing the same for his own agricultural purpose by drawing water by connecting a hose, which results in great hardship to the general public. Hence, the said pipeline has been removed and the competent authority is likely to install the same in some other place. The petitioner can claim priority for the pipeline to be erected near his land.

5. 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



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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.

6. In view of the same, without going into the merits of the case, this Court hereby direct the respondents to consider the petitioner's representation dated 25.07.2024 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

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

11.12.2024

NCC : Yes / No
Index : Yes / No
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TO:-

WEB COPY

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L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.(MD)No.29863 of 2024

Dated
11.12.2024