



WP(MD). No.30138 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2024

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

WP(MD). No.30138 of 2024

Kulanthai Machado

... Petitioner

Vs

1. The Stare of Tamil Nadu,
Represented by its Additional Chief Secretary,
Rural Development and Panchayat Raj,
(S.G.S-I) Secretariat,
Chennai - 600 009..

2. The State of Tamil Nadu,
Represented by its Additional Principal Secretary,
Municipal Administration And Water Supply (Ws-1) Department,
Secretariat,
Chennai - 600 009..

3. The District Collector,
Korampallam,
Tuticorin District - 628 001..

4. The Joint Director / Project,
Director, the District Rural Development Agency,
Ii Floor, K.V.K. Samy Building,
Collectorate,
Korampallam,
Tuticorin District - 628 001..

1/7



WP(MD). No.30138 of 2024

5. The Executive Engineer,
Tamil Nadu Water and Drainage Board
Maintenance Division,
16h/1a, Jailani Colony,
Tuticorin - 628 008..

6. The Assistant Executive Engineer,
Tamil Nadu Water and Drainage Board,
Rural Water Scheme Division,
16h/1a, Jailani Colony,
Tuticorin - 628 008..

7. The Block Development Officer,
Rural Panchayat,
Alwar Thirunagari
Panchayat Union,
Thenthirupporai,
Tuticorin District - 628 623..

8. The Panchayat President,
Punnakayal Panchayat Office,
Punnakayal,
Tuticorin District..

... 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 herein to provide drinking water daily to all the households of Punnaikayal Village, Thiruchendur Taluk, Thoothukudi District and to complete the projects that were accorded administrative approval by the 3rd respondent under the Self-sufficiency Scheme for Punnaikayal Village and Jal Jeevan Mission.



WP(MD). No.30138 of 2024

For Petitioner : Mr.S.Savarimuthu
For Respondents : Mr.P.Thilak Kumar for R1 to R4 & R7
Government Pleader
Mr.R.Satheesh for R5 & R6

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition for a mandamus to direct the respondents herein to provide drinking water daily to all the households of Punnaikayal Village, Thiruchendur Taluk, Thoothukudi District and to complete the projects that were accorded administrative approval by the 3rd respondent under the Self-sufficiency Scheme for Punnaikayal Village and Jal Jeevan Mission.

3. In order to provide drinking water to all the households of the petitioner's village, the petitioner has given a representation to the official respondents on 19.08.2024. Since the said representation has not



WP(MD). No.30138 of 2024

been considered so far, the petitioner is before this Court with this petition.

4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 19.08.2024 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and all other persons, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to



WP(MD). No.30138 of 2024

the concerned respondents to consider the same on its own merits.

WEB COPY

6. With the above direction, the Writ Petition stands disposed of.

No costs.

[M.S.R.,J]

[A.D.M.C.,J]

12.12.2024

NCC : Yes/No

Index : Yes/No

RR



WP(MD). No.30138 of 2024

To

1. The Additional Chief Secretary,
Rural Development and Panchayat Raj,
(S.G.S-I) Secretariat, Chennai - 600 009..

2. The Additional Principal Secretary,
Municipal Administration And Water Supply (Ws-1) Department,
Secretariat, Chennai - 600 009..

3. The District Collector,
Korampallam, Tuticorin District - 628 001..

4. The Joint Director / Project,
Director, the District Rural Development Agency,
Ii Floor, K.V.K. Samy Building,
Collectorate, Korampallam,
Tuticorin District - 628 001..

5. The Executive Engineer,
Tamil Nadu Water and Drainage Board
Maintenance Division,
16h/1a, Jailani Colony, Tuticorin - 628 008..

6. The Assistant Executive Engineer,
Tamil Nadu Water and Drainage Board,
Rural Water Scheme Division,
16h/1a, Jailani Colony, Tuticorin - 628 008..

7. The Block Development Officer,
Rural Panchayat, Alwar Thirunagari
Panchayat Union, Thenthirupporai,
Tuticorin District - 628 623..



WEB COPY



WP(MD). No.30138 of 2024

M.S. RAMESH, J.
AND
A.D.MARIA CLETE, J.

RR

ORDER
IN
WP(MD) No.30138 of 2024

Date : 12/12/2024