



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR JUSTICE C. SARAVANAN

WA No. 2418 of 2022

Chinnakannu

Appellant(s)

Vs

1.The District Collector
Salem District.

2.The Assistant Director
(Panchayat) Collector office Campus
Salem, Salem District.

3.The Executive Officer
Omalur Selection Grade Town
Panchayat, Omalur Taluk,
Salem District.

Respondent(s)

PRAYER

Writ Appeal filed under Clause 15 of Letters Patent, to allow this writ appeal and set aside the order passed in W.P.No.20582 of 2022 dated 27.09.2022 by the Learned Judge of this Court, Madras.



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For Appellant(s): Mr.M.Elango

For Respondent(s): Mr.V.Manoharan, AGP
For R1 & R2
Mr.D.Gopal, GA
For R3

J U D G M E N T

(Judgment was delivered by S.M.Subramaniam J.)

Under assail is the writ order dated 27.09.2022 passed in W.P.No.20582 of 2022. The writ petitioner is the appellant before this Court.

2. The writ petition has been instituted seeking the relief to direct the 3rd respondent / Executive Officer, Omalur Selection Grade Town Panchayat, Omalur Taluk, Salem District to provide water connection to the appellant's house permanently under “Jal Jevan Appan” scheme based on his representation.

3. The daughter of the appellant Smt.R.Kala separately filed a writ



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petition in W.P.No.19882 of 2020 seeking the same relief to restore the water connection permanently, which was dismissed vide order dated 25.02.2021 with a cost of Rs.10,000/-. Against the dismissal order, a review application has been filed which was pending before the learned Single Judge. While so, the appellant who is none other than mother of Smt.R.Kala filed a writ petition in W.P.No.20582 of 2020. The learned Single Judge made a finding that the subject land is a Government Poromboke land and a portion of the land belonged to a dead person was also illegally occupied by the family of the appellant. Considering the fact that the appellant had not produced any document to the satisfaction of the competent authorities to provide water connection, the writ petition came to be dismissed.

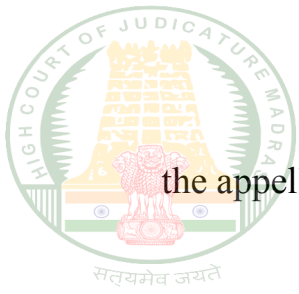
4. The learned counsel for the appellant would draw the attention of this Court with reference to the property tax paid by the appellant. Perusal of the property tax receipt reveals that the name of the assessee has stated that Mr.Manicamchetty and that the tax was paid by the appellant Chinnakannu. Even as per the tax receipt, the appellant is not the owner/assessee of the



property. That being so, the petitioner has not produced any documents to the satisfaction of the authorities for the purpose of providing water connection.

5. For providing water connection, under the Act and Rules, the procedures are to be followed. In this regard, a person seeking water connection has to establish his rights by producing relevant documents as such sought for. In the present case, the appellant has not produced any documents. Contrarily, the daughter of the appellant filed a writ petition which was dismissed with a cost of Rs.10,000/- and the another writ petition has been filed and the appellant filed a writ petition and the learned Single Judge considering the facts, dismissed the writ petition.

6. At the outset, the appellant has not established any right to issue direction to provide water connection permanently. The learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 would submit that the Government poromboke land has been encroached upon and the portion of the land belongs to a deceased person also under the occupation of



the appellant.

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7. That being so, the official respondents have to survey the entire land based on revenue records to identify encroachments, and evict the encroachers by following the procedures as contemplated and by affording opportunity to the encroachers. As far as the water connection is concerned it is for the appellant to approach the concerned authorities with relevant documents if any available.

8. Accordingly, the writ order dated 27.09.2022 passed in W.P.No.20582 of 2022, is hereby confirmed and the Writ Appeal stands dismissed. There shall be no order as to costs.

(S.M.SUBRAMANIAM J.)(C.SARAVANAN J.)

08-09-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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