



W.P.(MD) No.15043 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.15043 of 2025
and
W.M.P.(MD) No.11289 of 2025**

C.Pakkirisamy

... Petitioner

/vs./

- 1.The District Collector,
Office of the Collector,
Dindigul District,
Dindigul 624 004.
- 2.The Assistant Director of Town Panchayats,
Office of the Assistant Director of Town Panchayats,
Dindigul Town,
Dindigul 624 001.
- 3.The Block Development Officer,
Office of Block Development Officer,
Ottanchathiram,
Dindigul District,
Dindigul.
- 4.The Executive Officer,
Idyakottai Panchayat Union,
Idyakottai, Ottanchathiram Taluk,



W.P.(MD) No.15043 of 2025

WEB COPY

Dindigul District,
Dindigul.

5.The President,
Idyakottai Panchayat Union,
Idyakottai, Ottanchathiram Taluk,
Dindigul District,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to initiate an appropriate action on the petitioner's representation dated 27.09.2024 against the 5th respondent 1) To restore the drinking water connection to the petition building situated at Door No.10/116, Idayakottai, Idayakottai Village, Ottanchathiram Taluk, Dindigul District, 2) To issue the receipt on the payment of water tax made by the petitioner already in respect of the petition building and continue to receive the water tax to the petition building.

For Petitioner	: Mr.V.R.Venkatesan
For R1 & R2	: Mr.R.Suresh Kumar Additional Government Pleader
For R3 to R5	: Mr.C.Satheesh Government Advocate

ORDER

Mr.R.Suresh Kumar, learned Additional Government Pleader, takes notice for the respondents 1 and 2 and Mr.C.Satheesh, learned Government Advocate, takes notice for the respondents 3 to 5.



W.P.(MD) No.15043 of 2025

WEB COPY

2.This writ petition has been filed for a direction to restore the drinking water connection to the building at D.No.10/116, Idayakottai, Idayakottai Village, Ottanchathiram Taluk, Dindigul District, to issue the receipt on the payment of water tax already made by the petitioner and to continue to receive the water tax for the said property.

3.It is the specific case of the petitioner that the petitioner is in possession of the property as a tenant of one Mr.Balan. According to the petitioner, the fifth respondent was irregular in issuing the bills for water charges and was collecting amounts without issuance of receipts. Therefore, in the vindictive manner, the drinking water connection was disconnected about six months back, as the petitioner had escalated the issue with the Official respondents 1 to 4.

4.On the other hand, it is the case of the Official respondents that the property stands in the name of one Periyasamy and patta has also been issued in his favour.



W.P.(MD) No.15043 of 2025

WEB COPY

5. Reading of the affidavit filed in support of the present writ petition indicates that in respect of the same property, a partition suit was filed by one Selvakumar before the Additional District Court (Fast Track), Palani in O.S.No. 97 of 2014, which was dismissed and that an appeal is pending before this Court in A.S.(MD) No.174 of 2017. This collateral proceedings are of no significance.

6. The water connection cannot be disconnected. If any amounts are due from the petitioner, the same can be collected. In case, it is the case of the petitioner that the petitioner has paid the amount, it is for the petitioner to prove that the amount has already been paid.

7. Therefore, there shall be a direction to the respondents to restore the drinking water connection to the petitioner's property within a week from the date of receipt of a copy of this order. The respondents are at liberty to issue appropriate demand notice for the arrears of water charges, which shall be paid by the petitioner. In case, the petitioner fails to co-operate with the respondents, the respondents are at liberty to disconnect the water connection thereafter.



W.P.(MD) No.15043 of 2025

WEB COPY

8.It is made clear that the restoration of water connection will not be to the prejudice of the persons, who are claiming rights over the property either as purchaser or as the persons, who are entitled for partition of the property.

9.With the aforesaid directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No

03.06.2025

Internet : Yes / No

mm

To

- 1.The District Collector,
Office of the Collector,
Dindigul District,
Dindigul 624 004.
- 2.The Assistant Director of Town Panchayats,
Office of the Assistant Director of Town Panchayats,
Dindigul Town,
Dindigul 624 001.
- 3.The Block Development Officer,
Office of Block Development Officer,
Ottanchathiram,
Dindigul District, Dindigul.

5/7



W.P.(MD) No.15043 of 2025

WEB COPY

4.The Executive Officer,
Idyakottai Panchayat Union,
Idyakottai, Ottanchathiram Taluk,
Dindigul District,
Dindigul.

5.The President,
Idyakottai Panchayat Union,
Idyakottai, Ottanchathiram Taluk,
Dindigul District,
Dindigul.



WEB COPY



W.P.(MD) No.15043 of 2025

C.SARAVANAN, J.

mm

W.P.(MD) No.15043 of 2025

03.06.2025