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W.A.(MD)NO.1945 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.1945 of 2025

S.Subbulakshmi

... Appellant / Petitioner

Vs.

1. The District Collector,
Tenkasi,
Tenkasi District.
2. The Block Development Officer,
Keelapavoor Panchayat Union,
Tenkasi District.
3. The President,
Nagalkulam Panchayat,
Nagalkulam,
Tenkasi District.
4. Arumugaselvi
5. Kannan

... Respondents / Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order passed in W.P.(MD)No.16254 of 2025 dated 18.06.2025 on the file of this Court and allow the above writ appeal.



For Appellant : Mr.P.Murugesan

For R-1 to R-3 : Mr.N.Ramesh Arumugam,
Government Advocate.

* * *

J U D G M E N T

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard the learned counsel appearing for the appellant and the learned Government Advocate appearing for the official respondents.

2. The appellant has a pending civil dispute with respondents 4 and 5. The fourth respondent is none other than the appellant's sister. It appears that the case of the appellant is that respondents 4 and 5 have put up an unauthorised construction and that therefore water supply connection should not be provided to the said building. Praying that the water supply connection must be disconnected, the appellant filed W.P.(MD)No.16254 of 2025 but the writ petition was dismissed by the learned single Judge in the following terms:-

“2. The petitioner has already initiated the proceedings before the District Munsif Court, Tenkasi in O.S.No.253 of 2018 against the private respondents/respondents 4 and 5 in respect of the land in S.No.61/7, to an extent of 28 cents, situated



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at Nagalkulam Village Panchayat Union, Pethanadarpatti Part-2 Village, Alangulam Taluk, Tenkasi District, which has now been pending in O.S.No.240 of 2022 before the Principal District Munsif Court, Alangulam.

3. Since the petitioner has a property dispute with the private respondents/respondents 4 and 5 in the above suit, the relief sought for a Mandamus to direct the respondents to disconnect the water supply given to the respondents 4 and 5 cannot be countenanced. Hence, this Writ Petition is liable to be dismissed. However, liberty is given to the petitioner to seek the similar relief, subject to the final outcome of the aforesaid suit.”

Aggrieved by the same, this writ appeal has been filed.

3. When the matter was taken up for hearing, the learned Government Advocate submitted that while the first and second floor constructions are unauthorised, construction in the ground floor is authorised. In this view of the matter, water supply connection shall not be disconnected. In any event, it is open to the appellant to work out her rights in the manner known to law before the jurisdictional civil Court in the pending suit. The outcome of these proceedings will



not have any bearing in the civil suit. This writ appeal stands dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
18th July 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Collector,
Tenkasi,
Tenkasi District.
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Tenkasi District.
3. The President,
Nagalkulam Panchayat,
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