



W.P.(MD) No. 21860 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 21860 of 2025

V.Sivakumar

... Petitioner

Vs

The Commissioner,
Kumbakonam City Municipal Corporation,
Kumbakonam,
Thanjavur District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records culminated in impugned order passed in Na.Ka.No.5217/2024/E3 dated 20.12.2024 passed by the respondent, quash the same and consequently, direct respondent to restore the Drinking water connection with bearing number 05/045/900554 and to regularise the property Tax collection with bearing number 05/045/901199. respectively within the time frame fixed by this Court.



W.P.(MD) No. 21860 of 2025

WEB COPY

For petitioner : Mr. S.Vijayaganesh

For respondents : Mr. B.Jamed Arasu
Standing Counsel

ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner and learned Standing Counsel for the respondent.

2. The petitioner claims to be the owner of the property and is aggrieved by the impugned communication of the respondent.

3. By the impugned communication, dated 20.12.2024, the water connection that was given to the petitioner, has been ordered to be disconnected at the behest of one Sasidharan.

4. It appears that there is a partition suit in O.S.No.136 of 1997 that was filed by the petitioner's mother V.Andal before the District Munsif Court, which was decreed on 27.04.2000. Against the said order, the defendant in the said suit,



W.P.(MD) No. 21860 of 2025

WEB COPY

namely, Thirunavukkarasu filed an appeal in A.S.No.2 of 2001 before the Sub Court, Kumbakonam, which was dismissed. Thereafter, S.A.No.993 of 2003 was filed which was disposed of on 28.09.2016 by recording compromise memo dated 28.09.2016.

5. Further, the petitioner's brother, namely, V.Amirthalingam has filed a suit in O.S.No.60 of 2021 before the Principal Sub Court, Kumbakonam, where the said Sasidharan was also a party.

6. The said compromise decree was the subject matter of the Review before the Court with a condone delay application in C.M.P.(MD) No.3848 of 2022 in Rev. Appl. Sr.(MD) No.15522 of 2022. The application was also dismissed. However, liberty was given to prosecute the suit in O.S.No.60 of 2021 pending on the file of the Principal Sub Court, Kumbakonam.

7. It is noticed that the water connection has now been disconnected at the behest of the said Sasidharan, who has now been made a party to the proceedings.

8. A reading of the impugned order indicates that the petitioner was also not



W.P.(MD) No. 21860 of 2025

WEB COPY

heard before the impugned order was passed. Since the petitioner was not impleaded the said Sasidharan, this Writ Petition is liable to be dismissed with liberty to file a fresh Writ Petition impleading the said Sasidharan for appropriate relief.

9. With the above liberty, this Writ Petition is dismissed. No costs.

Index : Yes / No

Internet : Yes / No

apd

11.08.2025

To

The Commissioner,
Kumbakonam City Municipal Corporation,
Kumbakonam,
Thanjavur District.



WEB COPY



W.P.(MD) No. 21860 of 2025

C.SARAVANAN, J.

apd

W.P.(MD) No. 21860 of 2025

11.08.2025