

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No. 4312 of 2014
and MP.No. 1 of 2014

A.Shakila

.. Petitioner

Versus

1. The Managing Director
Chennai Metro Water Supply
and Sewerage Board,
No.1, Pumping Station Road
Chindadripet, Chennai -2

2. The Assistant Engineer
Metro Water Kilpauk
Chennai -600 010

3. Smt.P.Sumithra

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 and 2 to consider the petitioners representation dated 01.2.2014 and thereby direct the respondents 1 and 2 to provide separate metro water pipeline connection to the petitioners rental shop situated at M/s. Jas Collections NO.12/1 Senthil Nagar, 1st Main road, Kolathur Chennai-600 099.

For Petitioner : Mr.M.V.Muralidaran

For R1 and R2 : Mr. S.Parthasarathy
For R3 : Mr.V.Chandrakanthan

ORDER

Heard Mr.M.V.Muralidaran, learned counsel for the petitioner, Mr.S.Parthasarathy, learned counsel for the respondents 1 and 2 and Mr.V.Chandrakanthan, learned counsel for the third respondent and perused the materials placed on record.

2. This writ petition has been filed for a direction to the respondents to 1 and 2 to consider the petitioner's representation dated 01.2.2014 and thereby direct the respondents 1 and 2 to provide separate metro water pipeline connection to the petitioners rental

shop situate at M/s. Jas Collections NO.12/1 Senthil Nagar, 1st Main road, Kolathur Chennai-600 099.

3. It appears that there is a dispute between the petitioner-tenant and 3rd respondent- land lord. Admittedly, the petition for eviction is pending before the learned Rent Controller. The petitioner filed a suit in O.S.No.6370 of 2012 before the learned XV Assistant City Civil Court, Chennai against the land lord and the same was dismissed. Earlier, the petitioner approached this Court stating that electricity connection has to be given. This Court shown indulgence by directing the petitioner to pay the arrears of rent of electricity. It is stated that the petitioner did not pay the arrears of rent. The petitioner in this writ petition seeks for connection of Metro Water Pipe Line. This request made by the petitioner is not feasible for consideration and Metro Water Pipe line connection will be given only in the name of the person, who is the assessee by paying the water tax. Admittedly, the petitioner is not the owner of the property in question. Therefore, he cannot seek for separate Metro water connection. Hence, the relief sought for by the petitioner cannot be granted. However, it is open to the petitioner to work out his remedy before the Rent Controller.

4. With the above observation, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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1. The Managing Director
Chennai Metro Water Supply
and Sewerage Board,
No.1, Pumping Station Road
Chindadripet, Chennai -2
2. The Assistant Engineer
Metro Water Kilpauk
Chennai -600 010

+ 1 cc to Mr.M.V. Muralidevan, Advocate SR.8509
+ 1 cc to Mr.S. Parthasarathy, Advocate Sr.8221
+ 1 cc to Mr.V. Chandrakanthan, Advocate SR.8659

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PA(CO)
Eu 27.02.15