

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.31669 of 2015

N.Shanmugasundaram

...Petitioner

Vs.

1.State of Tamil Nadu rep.
by its Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai - 600 009.

2.The Commissioner,
Tirupur Municipal Corporation,
Tirupur - 641 604.

3.Tirupur Municipal Corporation Council
Rep. by its Mayor,
Tirupur Municipal Corporation,
Tirupur - 641 604.

Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the 1st respondent to consider and pass orders on the representation of the petitioner dated 28.08.2015 for the cancellation of resolution passed by the 3rd respondent in resolution No.161 dated 15.07.2015 resolving to enhance the water charges.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.Rm.Muthukumar
Govt. Advocate for R1.

for R2 & R3

Ms.P.Shanthi,

O R D E R

The petitioner is owning a property in No.4/57, Thail Illam, Jainagar, 1st Street, Kangeyam Road, vijayapuram Post, Tirupur. The Tirupur Municipal Corporation is levying water charges for domestic purpose @ Rs.50/- and for non-domestic purpose @ Rs.100/- prior to the year 2009. On 01.04.2009, it was enhanced to Rs.72/- for domestic purpose and Rs.150/- for non-domestic purpose. However, the third respondent passed a resolution on 15.07.2015 enhancing the domestic supply water charges from Rs.72/- to Rs.220/- and limiting the quantity to 10,000 litres and beyond the supply of 10,000 litres, Rs.22/- for every 1000 litres.

2. According to the petitioner, the enhanced amount of Rs.220/- from Rs.72/- is three times higher than the earlier charges and therefore he made a representation on 28.08.2015 requesting the first respondent to cancel the resolution No.161 dated 15.07.2015 passed by the third respondent Council by which the enhanced amount is demanded.

3. Heard Mr.S.Doraisamy, learned counsel appearing for the petitioner, Mr.Rm.Muthukumar, learned counsel appearing for the first respondent and Ms.P.Shanthi, learned counsel appearing for R2 and R3.

4. Taking into consideration the fact that the petitioner has already given a representation to the second respondent on 28.08.2015 to cancel the resolution No.161 dated 15.07.2015 passed by the third respondent, it is appropriate to direct the first respondent to dispose of the petitioner's representation, as per law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai - 600 009.

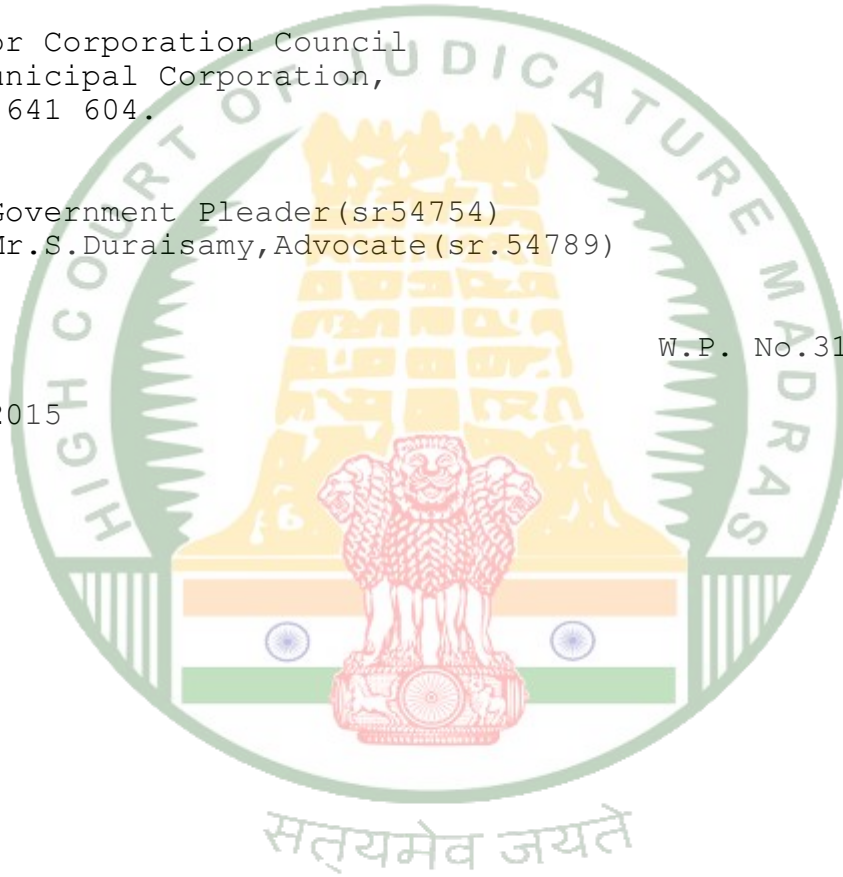
2.The Commissioner,
Tirupur Municipal Corporation,
Tirupur - 641 604.

3.The mayor Corporation Council
Tirupur Municipal Corporation,
Tirupur - 641 604.

+1 cc to Government Pleader(sr54754)
+1 cc to Mr.S.Duraisamy,Advocate(sr.54789)

svi(co)
cp 28/10/2015

W.P. No.31669 of 2015



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