

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.03.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.5320 of 2015

and

M.P.No.1 of 2015

K.Vimala Devi,
W/o.P.Kulandaikani

... Petitioner

vs.

1.Chennai Metropolitan Water Supply
and Sewerage Board,
represented by its
Senior Accounts Officer,
No.1, Pumping Station Road,
Chintadripet,
Chennai - 600 002.

2.The Depot Manager,
Chennai Metropolitan Water Supply
and Sewerage Board,
Zone X, Ward No.129,
No.9, Muthukrishnan Street,
T.Nagar, Chennai - 600 017.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to Demand Notice of Vidya Bharathi School dated 13.02.2015 issued by the first respondent to the petitioner and quash the same.

For Petitioner : Mr.Shivakumar

For Respondents : Mr.Jothikumar

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O R D E R

The petitioner seeks to quash the Demand Notice issued by first respondent addressed to Vidya Bharathi School dated 13.02.2015.

2. Heard learned counsel for petitioner and learned standing counsel for respondents.

3. Learned counsel for petitioner has stated that the petitioner is the absolute owner of the premises bearing Door No.17 (3), Kumaran Colony, 4th Street, Vadapalani, Chennai - 600 026.

According to him, the first respondent has wrongly sent a Demand Notice dated 13.02.2015 to the petitioner addressed to one Vidya Bharathi School, No.8, Kumaran Colony, 4th Street, Saligramam, Chennai - 93 and demanded water tax from 2009 and the petitioner is no way connected with the School or with the address mentioned therein. The petitioner only knows about the school viz., Vijaya Bharathi School situated at 2nd Street, Dhanalakshmi Colony, Vadapalani, Chennai - 600 026. Along with the aforesaid Demand Notice, a corporation assessment dated 05.02.2015 also annexed by the respondents. That apart, the respondents, through their employees, have threatened the petitioner that they would disconnect the water and sewerage connection for the petitioner's premises, if payment is not made within three days. Aggrieved over the same, the present Writ Petition is filed.

4. Respondents are not able to refute the said contention.

Since the demand notice had been served to a wrong address, this Court allows this Writ Petition. Accordingly, the impugned demand notice issued by first respondent dated 13.02.2015, is set aside. This will not preclude the respondents from ascertaining the correct address and details and serve notice on the right person demanding the amount payable to them. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

1.The Senior Accounts Officer,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet,
Chennai - 600 002.

2.The Depot Manager,
Chennai Metropolitan Water Supply
and Sewerage Board,
Zone X, Ward No.129,
No.9, Muthukrishnan Street,
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+ 2 ccs to Mr. Shivakumar, Advocate Sr.12626

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