

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 29.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.11417 of 2015
and
M.P.Nos.1 to 3 of 2015

G.Vasanthara Gunalan

... Petitioner

Versus

1. The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road, Chintadripet,
Chennai-2.
2. The Area Engineer-IX,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Dr.Ranga Road,
Abiramapuram, Chennai-18.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, call for the records relating to the impugned letter passed by the second respondent in his Lr.No.CMWSSB/Area IX/DAE 27/Depot 122/Sp1/2015, dated 02.02.2015 and quash the same and consequently direct the respondents to give service connection effect to the petitioner's flat No.7, Door No.2, 3rd Main Road, Seethammal Colony, Alwarpet, Chennai-18.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.M.Karthikeyan (for R1)
Mr.M.Jothikumar (for R2)

O R D E R

Heard Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.M.Karthikeyan, learned counsel appearing for the first respondent and Mr.M.Jothikumar, learned counsel appearing for the second respondent, accepting notice on behalf of respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The petitioner sought for an individual water connection exclusive in her name in respect of the apartment in which she is residing.

3. The learned counsel appearing for the respondents stated that since the property is an apartment and the petitioner owns her undivided share in the land, the building is eligible only for one water connection and the water has to be shared from the said connection by all the flat owners in the residential complex. The learned counsel appearing for the respondent/ Board on instructions submitted that if the petitioner has an individual sump then, she can make an individual application which shall be considered in accordance with law.

4. Accordingly, while upholding the impugned order and dismissing the writ petition, liberty is granted to the petitioner to take advantage of the submission made by the respondent/Board. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(AD I)

//True Copy//

Sub Assistant Registrar

vs/kpr

To

1. The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road, Chintadripet,
Chennai-2.
2. The Area Engineer-IX,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Dr.Ranga Road,
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+1cc to Mr.C.Prakasam, Advocate, S.R.No.19866

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SR(CO)
CA(06/04/2016)