

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 28.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.16101 of 2016

M. Srinivasan

[PETITIONER]

Vs

- 1 The Managing Director
Chennai Metro Water Supply and
Sewerage Board
1 Pumping Station Road
Chinthatharipet, Chennai 600 002.
- 2 The Area Engineer
Chennai Metropolitan Water Supply and
Sewerage Board Area X
No.9 Muthukrishnan St,
T Nagar, Chennai 600 017.

[RESPONDENTS]

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents herein to give metro water and sewerage connection to the shop building situate at No.1, West Jones Road, Saidapet, Chennai 600 015, within a stipulated time as fixed by this Honourable Court.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.M.Jothikumar
Standing Counsel

O R D E R

Heard Mr.S.Senthilnathan, learned counsel appearing for the petitioner and Mr.M.Jothikumar, learned Standing Counsel accepting notice on behalf of respondents. By consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.In this Writ Petition, the petitioner seeks for issuance of a writ of mandamus to direct the respondents herein to give metro water and sewerage connection to the shop situate at No.1, West Jones Road, Saidapet, Chennai 600 015.

3. According to the learned counsel for the petitioner, pursuant to the orders passed by the Joint Commissioner, Hindu Religious and Charitable Endowments, dated 21.06.2010, the petitioner was permitted to put up a superstructure on the land owned by Arulmighu Kadumbadi Chinnamman Temple. As the petitioner is said to be paying lease rent to the Temple, now he wants water and sewerage connection for his premises.

4. The learned Standing Counsel for the respondent Board submits that the Trustee of the Temple has given a written objection to the second respondent from effecting any water and sewerage connection to the premises in question, at the behest of the petitioner.

5. Since the Temple is not a party to the Writ Petition, the second respondent before proceeding further, has to verify the entire matter and conduct an enquiry, after calling upon the Trustees of the said Temple to be present before him.

6. In the light of the above, the second respondent is directed to issue notice to the petitioner as well as to the Trustees of the Arulmighu Kadumbadi Chinnamman Temple, Saidapet, Chennai 600 015, and after hearing the parties, shall pass appropriate orders on merits and in accordance with law, on the petitioner's request for grant of water and sewerage connection, within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Managing Director
Chennai Metro Water Supply and
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1 cc to MR.S. Senthil Nathan, Advocate Sr.27032

W.P.Nos.16101 of 2016

CA(CO)
Eu 1.06.16