IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 29.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.28029 of 2015
and
M.P.No.1 of 2015

Sholinganallur K.P.V.Nagar Plot Owners Association,
Rep. by the Treasurer,
Mr.Mohammed Quarishi
S/o Late.Jahanb: C.Mohammed Munshee
No.4, Sarwamangala Nagar,
Nanganallur, Chennai - 600 061. ... Petitioner

Versus

1. The Secretary,
   State of Tamilnadu,
   Municipal Administration & Water Supply Department,
   Fort St. George,
   Chennai - 600 009.

2. The Managing Director,
   Chennai Metropolitan Water
   Supply and Sewerage Board,
   Chindadripet, Chennai-600 002.

3. The Chief Engineer,
   Chennai Metropolitan Water
   Supply and Sewerage Board,
   Chindadripet, Chennai-600 002. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of Mandamus, directing the respondents not to erect the sewerage and water pumping station of Sholinganallur - Karapakkam at the K.P.V. Nagar, Sholinganallur Taluk, site-Land comprised in S.No.25/1B, 2A2 and 26 Part of Inchambakkam Village, Sholinganallur Taluk.

For Petitioner : Mr.D.Stephen

For Respondents : Mr.R.Rajeswaran (for R1)
Special Government Pleader

Mr.G.Janakiraman (for R2 and R3)

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O R D E R

Heard Mr.D.Stephen, learned counsel appearing for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader appearing for the first respondent and Mr.G.Janakiraman, learned counsel appearing for the respondents 2 and 3, 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. Though elaborate submission was made by the learned counsel for the petitioner justifying the prayer sought for, the entire issue has become academic in the light of the stand taken by the respondent CMWSSB by producing a note regarding the land proposed for road side sewage lifting station at ISCON road.

3. Learned standing counsel on instructions submitted that after objections were raised the board which were erected by CMWSSB have been removed and a new site has been chosen and the petitioner need not have any apprehension.

4. This submission made on behalf of the respondents is placed on record and the writ petition stands disposed of with an observation that the sewage pumping, lifting and other materials shall be lifted from the site originally proposed if not already removed and it is open to the CMWSSB to locate it in the new location as proposed by them. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vs/kpr

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To

1. The Secretary,
   State of Tamilnadu,
   Municipal Administration & Water Supply Department,
   Fort St. George, Chennai - 600 009.

2. The Managing Director,
   Chennai Metropolitan Water
   Supply and Sewerage Board,
   Chindadripet, Chennai-600 002.

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3. The Chief Engineer,
   Chennai Metropolitan Water
    Supply and Sewerage Board,
   Chindadripet, Chennai-600 002.

+1cc to Mr.G.Janakiraman, Advocate, S.R.No.20176
+2cc's to M/s.Stephen & Stephen Associates, Advocate,
S.R.No.19789
+1cc to the Government Pleader, S.R.No.19777

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and
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CA(12/04/2016)

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