

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.4698 of 2016
and WMP No.4085 of 2016

Dharmamurthi Rao Bahadur Calavala Cunnan Chetty's
Higher Secondary School,
Rep. by its Honorary Correspondent,
M.M.V.Cunniah Chetty ... 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,
Zone VI, No.3, Vadivelu II Cross Street,
Perambur, Chennai - 11. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified Mandamus, to call for the records relating to the 2nd respondent vide its Assessment No.06/070/07782/000 dated 11.1.2016 and quash the same and further direct the 2nd respondent to collect regular exempted fee of Rs.10,252/- from the petitioner continuously.

For Petitioner : Mr.R.Karunagaran
For Respondents : Mr.G.Janakiraman

सत्यमेव जयते
O R D E R

With the consent on either side, the writ petition is taken up for final disposal.

2. The petitioner is aggrieved by revision of assessment of Water and Sewerage Tax. The learned counsel for the respondent Board submits that as against the impugned assessment the petitioner has an effective and efficacious alternate remedy by way of an appeal before the Metro Water Tax Tribunal.

3. Therefore, the petitioner is granted 15 days time to approach the tribunal for the appropriate relief and if such an appeal is filed, the tribunal shall consider the same on merits

and in accordance with law. Till the petitioner approaches the tribunal, the Water and Sewerage connection to the petitioner's institution shall not be discontinued and the pre-revised Water and Sewerage Tax shall be continued to be remitted by the petitioner.

4. The writ petition is disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Managing Director,
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road, Chintadripet, Chennai - 2.
2. The Area Engineer,
Zone VI, No.3, Vadivelu II Cross Street,
Perambur, Chennai - 11.

+1cc to Mr.R.Karunakaran, Advocate, S.R.No.8904 (13.06.2016)

ad(co)
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सत्यमेव जयते

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