

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.02.2016

Coram :

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No. 4863 OF 2016 &
W.M.P.4223 of 2016

P.Nelson

[PETITIONER]

Vs

- 1 The Managing Director
Chennai Metro Water Supply and Sewage Board
No.1 Pumping Station Road
Chindaripet , Chennai-600 002
- 2 The Assistant Executive Engineer
Chennai Metro Water Supply and Sewage Board
227 II Avenue Near 12th Main Road
Anna Nagar West Ext Main Road
Chennai-40
- 3 The Junior Engineer
Chennai Metro Water Supply and Sewage Board
4th Main Road , Sidco Nagar ,
Villivakkam, Chennai.

[RESPONDENTS]

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to forbear the third respondent herein disconnecting water and drainage connection bearing No. 04 063 7284 of the petitioner with regard to premises bearing Door No. 29-A Dr.Ambedkar Street, Villivakkam, Chennai 600 049 for the non-payment of water and drainage connection bearing No. 04 063 7283 with regard to premises bearing No. 29 Dr.Ambedkar Street, Villivakkam, Chennai-600 049, pursuant to the representation dated 28.01.2016 given to the respondents.

For Petitioner : Mr.T.Muruganantham

For Respondents : Mr.Janakiraman
Standing Counsel

O R D E R

Heard Mr.T.Muruganantham, learned counsel for the petitioner and Mr.Janakiraman, learned Standing Counsel accepting notice for respondents with the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2.The petitioner has come forward with this Writ Petition, seeking for issuance of a writ of mandamus to forbear the third respondent from disconnecting water and drainage connection bearing No. 04 063 7284, with regard to his premises bearing Door No. 29-A Dr.Ambedkar Street, Villivakkam, Chennai 600 049 for the non-payment of water and drainage connection bearing No. 04 063 7283 with regard to premises bearing No. 29 Dr.Ambedkar Street, Villivakkam, Chennai-600 049, pursuant to the representation dated 28.01.2016 given to the respondents.

3.The petitioner would state that there are two properties owned by him viz. Door No. 29-A Dr.Ambedkar Street, Villivakkam, Chennai 600 049, is in his name and the premises bearing Door No. 29 Dr.Ambedkar Street, Villivakkam, Chennai-600 049, stands in the name of his wife. The petitioner is aggrieved by the action of the respondents in attempting to disconnect water and sewerage facilities provided to the properties standing in his name bearing Door No. 29-A Dr.Ambedkar Street, Villivakkam, Chennai 600 049. In this regard, a representation has been submitted to the authorities on 28.01.2016, apprehending that before considering the representation, the water and sewerage connection will be disconnected to his property viz. 29-A Dr.Ambedkar Street, Villivakkam, Chennai 600 049, the petitioner is before this Court.

4.In the light of the fact that representation is pending before the authorities, there will be a direction to the second respondent to consider the petitioner's representation dated 28.01.2016 and pass appropriate orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. Till orders are passed on the representation submitted by the petitioner, the water connection provided to the petitioner's property at Door No. 29-A Dr.Ambedkar Street, Villivakkam, Chennai 600 049, shall not be disconnected. However, this will not prevent the respondents from taking action in respect of the property owned by the petitioner's wife bearing Door No. 29 Dr.Ambedkar Street, Villivakkam, Chennai 600 049, for which admittedly, there is arrears of water and sewerage charges.

The Writ Petition is disposed of the above terms. No costs.
Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rpa

To

- 1 The Managing Director
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+ 1 cc to Mr.T. Muruganatham, Advocate SR.8383

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SK(CO)
Eu 19.02.16

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