

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2016

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.8834 of 2016

- 1.M.Siluvai Mary
- 2.P.Pennyraj
- 3.J.Mary Victoria @ Victoria
- 4.A.Virjit Mary

... Petitioners

Vs.

1. The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Board,
Chindatripet, Chennai - 600 002.
2. The Assistant Engineer, Zone 1X
Ward No.125,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Dr.Ranga Road,
Abiramapuram, Chennai - 18.
3. U.Thomas
4. R.Ramamurthi
5. P.Puyalrani
6. L.Lakshmi
7. A.Francis @ Regibai
8. S.Marikurutha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the first respondent to consider the petitioners' representation, dated 29.10.2015, and further, to direct the respondents 1 and 2 to disconnect the sewerage connection illegally taken by the respondents 3 to 8 to the properties encroached by them and belonged to the petitioners, comprised in S.No.2500, measuring an extent of 1800 sq.ft.

For Petitioner : Mr.A.Gouthaman

For Respondents 1 & 2 : Mr.M.Jothikumar
Standing Counsel

O R D E R

Heard Mr.A.Gouthaman, the learned counsel appearing for the petitioner, and Mr.M.Jothikumar, the learned Standing Counsel, who accepts notice for respondents 1 and 2.

2. The petitioners seek for issuance of Writ of Mandamus upon first respondent to consider their representation, dated 29.10.2015, and to direct the respondents 1 and 2 to disconnect the sewerage connection illegally taken by the respondents 3 to 8.

3. According to the petitioners, the sewerage connection has been illegally given to respondents 3 to 8, as they have no right over the property. It is admitted by the petitioners that they have already initiated suit proceedings against the respondents 3 to 8, by filing Original Suits, being O.S.Nos.6373, 6374 etc., of 2016, which are pending before the City Civil Court, Chennai. Thus, the petitioners have to first obtain a judgment and decree from the Civil Court, wherein, the Court should consider the petitioners' case/right over the suit property, and based on such judgment, it is open to the petitioners to approach the respondents 1 and 2 for proper disposal of their representation, dated 29.10.2015.

4. With the above observations, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(AS)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

sd

To

1. The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Board,
Chindatripet,
Chennai - 600 002.

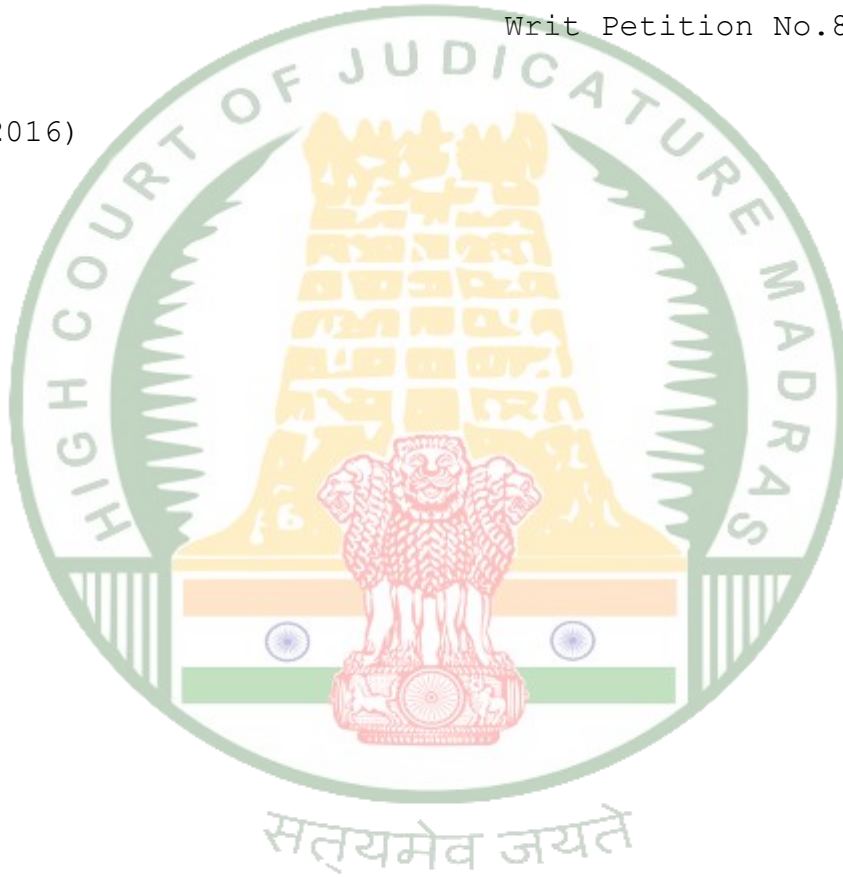
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2. The Assistant Engineer, Zone 1X
Ward No.125,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Dr.Ranga Road,
Abiramapuram,
Chennai - 18.

+1cc to Mr.A.Gouthaman, Advocate, S.R.No.15096

Writ Petition No.8834 of 2016

MP (CO)
CA(22/03/2016)



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