

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.7160 of 2017
and W.M.P.No.7777 of 2017

D.Zeenath ...Petitioner

Vs.

- 1.The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Stating Road,
Chintadripet, Chennai - 600 002.
 - 2.The Assistant Engineer,
Chennai Metropolitan Water Supply and
Sewerage Board,
Area IX, Division 117, No.1, Dr.Renga Road,
Chennai - 600 018.
 - 3.Senior Accounts Officer,
Chennai Metropolitan Water Supply and
Sewerage Board,
Area IX, Division 117, No.1, Dr.Renga Road,
Chennai - 600 018.
 - 4.The Area Engineer,
Chennai Metropolitan Water Supply and
Sewerage Board,
Area IX, Division 117, No.1, Dr.Renga Road,
Chennai - 600 018.
- ...Respondents

Prayer: This writ petition filed under Article 226 of the Constitution of India, to issue a writ particularly in the nature of a writ of Mandamus, directing the 4th respondent to restore the sewerage connection for the premises situated at No.576, Anna Salai, Teynampet, Chennai - 600 006.

For Petitioner : Mr.R.Syed Mustafa

For Respondents : Mr.Jothikumar

ORDER

The petitioner has come forward to file this writ petition seeking a direction to the 4th respondent to restore the sewerage connection for the premises situated at No.576, Anna Salai, Teynampet, Chennai - 600 006.

2.Learned counsel appearing for the petitioner would submit that unilaterally such a disconnection has taken place.

3.On instructions, the learned counsel appearing for the respondents would submit that a sum of Rs.30,35,760/- is due to the Corporation of Chennai and out of which, Rs.8,09,296/- is meant for the fourth respondent. As the petitioner has not paid, the said disconnection has taken place.

4.Learned counsel appearing for the petitioner by way of reply would submit that as against the demand made by the Corporation, a writ petition was filed and pursuant to the orders of this Court, an appeal made by the petitioner is pending disposal. He would also submit that the petitioner has also paid a sum of Rs.5,00,000/- without prejudice to the contention in favour of the Corporation of Chennai.

5.Considering the above, this Court is of the view that it is fit and proper in the interest of justice to direct the fourth respondent to restore the disconnected sewerage connection to the petitioner's premises subject to the condition and without prejudice to the contention in the appeal that the petitioner pays a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the fourth respondent within a period of four weeks from the date of receipt of a copy of this order. On such payment being made, the fourth respondent will have to restore the sewerage connection within a period of two weeks thereafter.

6.With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

cse

To

1.The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Stating Road,
Chintadripet, Chennai - 600 002.

2.The Area Engineer,
Chennai Metropolitan Water Supply and
Sewerage Board,
Area IX, Division 117, No.1, Dr.Renga Road,
Chennai - 600 018.

+1cc to Mr.Syed Mustafa, Advocate, S.R.No.20307

W.P.No.7160 of 2017
and W.M.P.No.7777 of 2017

SK(CO)
RS(12/04/2017)



WEB COPY