

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.9362 of 2017

Rekha M.Jain

... Petitioner

Vs.

1. The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600002

2. The Assistant Engineer,
Chennai Metropolitan Water Supply and
Sewerage Board,
Depot 103, Area-VIII
No.16, Branson Garden,
Kellys, Chennai - 600 010.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records in the order dated 13.03.2017, on the file of the respondent and quash the same as illegal and consequently directing the respondents herein to provide basic amenity of water supply to the Petitioner's property namely premises bearing New Nos.220 and 222, Old Nos.868 and 867, Poonamalle High Road, Kilpauk, Chennai 600010 pursuant to the representation of the petitioner dated 09.02.2017.

For Petitioner : Mr.M.Dhandapani
Senior counsel for
Mr.A.Damodaran

For Respondents : Mr.Janakiraman for RR1&2

ORDER

With the consent of the learned counsel appearing on either side, the Writ Petitions are taken up for final disposal.

2. Heard Mr.M.Dhandapani learned Senior counsel appearing for Mr.A.Damodaran, learned counsel for the petitioner,

Mr. Janakiraman, learned counsel appearing for the respondents 1 and 2.

3. The Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus, to quash the proceedings of the respondent dated 13.03.2017, and to direct the respondents to provide basic amenity of water supply to his property bearing New Nos.220&222 and Old Nos.868&867, Poonamalle High Road, Kilpauk, Chennai.

4. The impugned order is a communication sent by the second respondent, which reads hereunder:-

The premises KG flats Door No.868 and 867 Poonamallee high road having 27 flats. The water connection to the building is to the sump which is 70 feet away from the road.

The water service line inside your premises is laid only 40cm deep from the ground level where as the water main is at 120cm deep in ground level.

It is requested to lower your water service line on par with water main on road, so as to get increased water supply, however, you will be getting water in hand pump if one is fitted at the entrance of your premises.

Hence, you are requested to lower your internal water line and inform this office at the earliest, so as to check the water supply.

5. The learned counsel for the petitioner submits that the petitioner would comply with the request made, provided such a permission is granted by the second respondent.

6. In such a view of the matter, the Writ Petition is disposed of by directing the second respondent to cooperate with the petitioner by making a visit to the premises and then grant necessary permission for the lowering of the water service line on par with water main on road, within a period of two weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

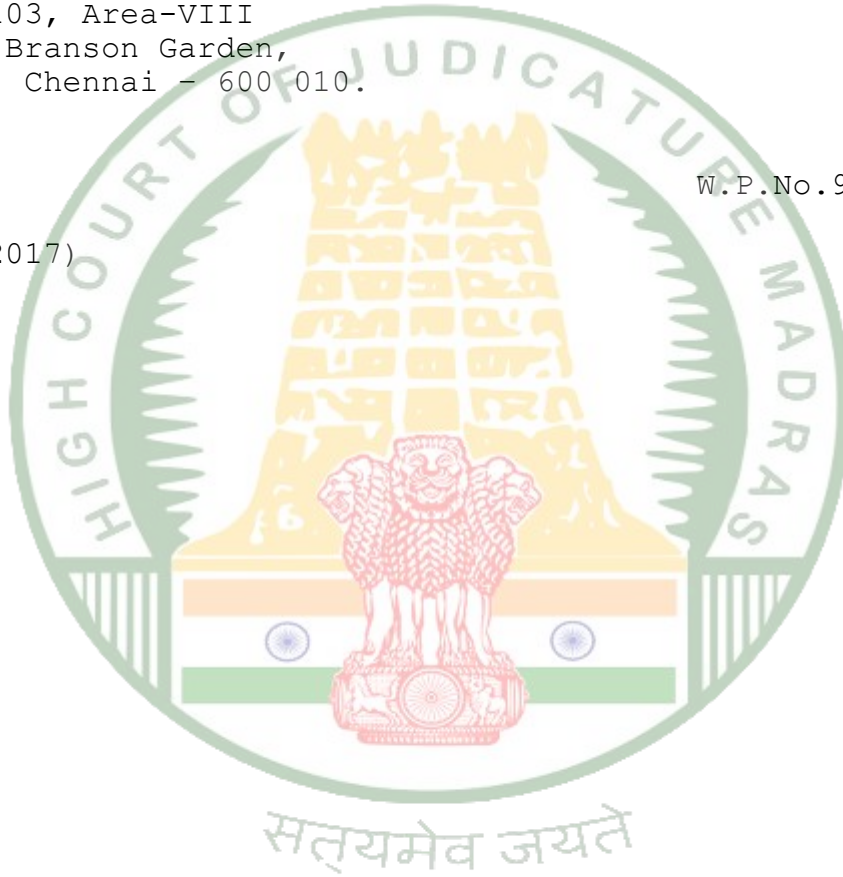
pbn/ms

To

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Chennai Metropolitan Water Supply and
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2. The Assistant Engineer,
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